



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

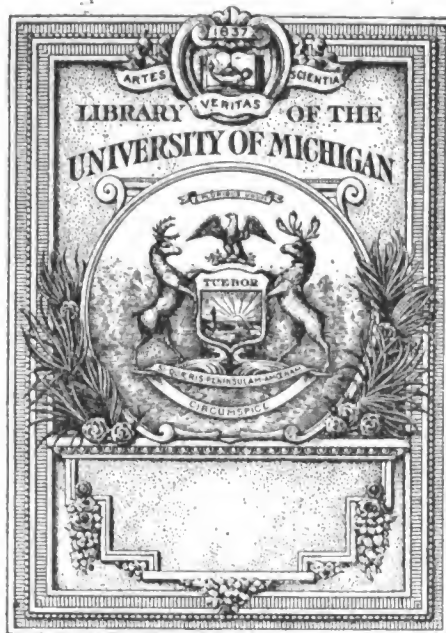
- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

Journals of the House of Representati... of Massachusetts

Massachusetts.
General Court.
House of ...



J
87
M4
1715-1717c

Massachusetts Historical Society

FOUNDED 1791



Mass. (Col. J.) General Court Hist. Soc.

**JOURNALS OF THE HOUSE OF REPRESENTATIVES
OF MASSACHUSETTS**

VOLUME II

Committee of Publication

...

HENRY CABOT LODGE
WILLIAM BRADFORD HOMER DOWSE
WORTHINGTON CHAUNCEY FORD

100

100



By His EXCELLENCY,

Samuel Shute, Esq;

Captain General and GOVERNOUR in Chief in and over
His Majesty's Province of the *Massachusetts-Bay* in *New-England*, &c.

A P R O C L A M A T I O N.

By His Excellency's Command,
with the Advice of the Council,
Josiah Willard Secr.

S. SHUTE

G O D Save the King.

JOURNALS

of the
House of Representatives
of Massachusetts
1718-1720

Published at the Charge of the Dowse Fund

THE MASSACHUSETTS HISTORICAL SOCIETY

1921

111

Contents

INTRODUCTION	vii
GENERAL COURT, 1718-1719	
First Session, May 28-July 5, 1718	I
Second Session, October 29-December 4, 1718	61
GENERAL COURT, 1719-1720	
First Session, May 27-June 30, 1719	111
Second Session, November 4-December 10, 1719	172
GENERAL COURT, 1720	
First Session, May 25-May 30, 1720	227
GENERAL COURT, 1720-1721	
First Session, July 13-July 23, 1720	234
Second Session, November 2-December 17, 1720	266
Third Session, March 15-March 31, 1721	358
THE CASE OF THE MUSTER ROLLS OF HIS MAJESTY'S CASTLE WILLIAM	355

309261

Introduction

THIS volume contains the records of the House of Representatives in four General Courts, 1718 to 1720, for two Houses were elected in 1720.

Owing to a difference between the House and the Governor and Council, Bartholomew Green refused to print the Journals after May 30, 1720, and Nicholas Boone became the printer of the House of Representatives.¹ The change was not of advantage if the quality of proof-reading be taken as a measure, for the errors are much more numerous with Boone and they are errors of the printer. Fortunately most of them are so evidently errors as to be easily corrected by the reader. The original text is followed in this reprint.

The number of questions on which the House was opposed to the Governor and Council becomes greater, and touches, among other, interpretation of the Charter, royal prerogative, permanent salaries and precedents in legislative methods. On one matter the Council printed its defence — "The Case of the Muster Rolls of his Majesty's Castle William" — reprinted in this volume from the copy in the Boston Athenæum.

The Proclamation, used as a frontispiece, is from the unique copy found bound in a file of the *Boston News-Letter* for 1718, in the Connecticut Historical Society.

WORTHINGTON CHAUNCEY FORD

Boston, January, 1921.

¹ Pages 226 and 242, *infra*.

JOURNALS
of the
House of Representatives
of Massachusetts
1718-1720

JOURNAL

Of the HOUSE of Representatives.

At a Great and General Court or Assembly of His Majesty's Province of the Massachusetts-Bay in ~~New-England~~, begun & held at ~~Boston~~, upon Wednesday the 28th Day of ~~May~~, Anno Domini, 1718.

P*enn Townsend* and *John Clark* Esqrs; and Mr. Secretary *Willard* came down from the Council Board and Acquainted the House, That they were Appointed & Authorized by His Excellency the Governour, that this House should take the Oaths, Make and Subscribe the Declaration, Take and Subscribe the Oath of Abjuration (as by the Royal Charter of this Province is Directed) before them; which was accordingly done by the Members present, and then they withdrew.

The Names of the Persons Returned to Serve for and Represent the several Towns, are as follows. viz.

Boston, { *Edw. Hutchinson*, Esq; ;
 { *Habijah Savage* Esq; ;
 { *Capt. Jos. Wadsworth*
 { *Mr. Isaiah Tay*
Roxbury, *William Dudley* Esq; ;
Dorchester, *Capt. Tho. Tilestone*
Hingham, *Col. Samuel Thaxter*
Brantrey, *Capt. John Mills*
Dedham, *Mr. John Metcalf*
Medfield, *Mr. Henry Adams*
Weymouth, *Capt John Hunt*
Milton, *Mr. Ephraim Tucker*
Wrentham, *Mr. Robert Ware*
Mendon, *Josiah Chapin* Esq;
Brooklin, *Capt. Tho. Gardner*
Woodstock, _____
Needham, _____
Salem, { *Mr. Timothy Lindal*
 { *Capt. Peter Osgood*
Ipswich, { *John Denison* Esq; ;
 { *Capt. Math. Whipple*
Lynn, *John Burril* Esq; ; *Speaker*
Newbury, { *Col. Hen. Somersby*
 { *Capt. Richard Kent*
Marblehead, *Capt John Cawley*
Andover, *Mr. John Osgood*
Beverly, *Capt. Joseph Herrick*
Rowley, *Mr. Joseph Jewet*

Salisbury, *Capt. John Wadleigh*
Haverhill, *Mr John Sanders*
Glocester, *Capt. Nath Coit*
Topsfield, *Mr. Samuel Howlet*
Boxford, *Mr. Thomas Pearly*
Wenham, *Mr. William Rogers*
Amesbury, *Mr Thomas Hoit*
Bradford, *Capt. Rich. Kimbal*
Manchester, _____
Cambridge, *Jona. Remington* Esq; ;
Charls- { *Jonathan Dows* Esq; ;
town { *Charles Chambers* Esq; ;
Watertown, *Mr. Samuel Sterns*
Newton, *Mr. John Ward*
Concord, *Mr. William Wilson*
Woburn, *Mr. John Pierce*
Reading, *Mr. Timothy Wiley*
Sudbury, *Mr. Edmund Rice*
Marlborough, *Thomas How* Esq; ;
Maldon, *Mr. Phineas Upham*
Chelmsford, *Capt Moses Barron*
Billerica, *Mr. John Sterns*
Sherburn, *Mr. Eliezer Holbrook*
Groton, *Capt. John Shipley*
Lancaster, *Mr. John Houghton*
Framingham, *J. Buckminster* Esq; ;
Medford, *Mr. Thomas Tufts*
Lexington, *Capt. Jos. Bowman*

Weston, *Francis Fullam* Esq; ;
Stow, _____
Springfield, *Luke Hitchcock* Esq; ;
Northampton, *John Stoddard* Esq; ;
Hadley, *Samuel Porter* Esq; ;
Hatfield, *Mr John Dickinson*
Southfield, *Mr John Austin*
Westfield *Capt Joseph Mandaley* ;
Enfield *Capt. Samuel Terry*
Deerfield, *Mr. Thomas Wells*
Plymouth, *Nath. Thomas* Esq; ;
Scituate, *Mr. Thomas Turner*
Bridgewater, *Mr. Rich. Davenport*
Marshfield, *Isaac Little* Esq; ;
Duxbury *Mr. James Patridge*
Rochester, *Mr. John Hammond*
Pembroke, *Mr. Jos. Stockbridge*
Plympton, *Capt. William Shurtleff*
Middleborough, *Mr John Bennet*
Barnstable, *Shubal Gorham* Esq; ;
Eastham, *Mr. John Payne*
Sandwich, *Mr. Eldad Tupper*
Tarmouth, *Capt. Seth Tailer*
Harwich, *Mr. Chillingsw. Foster*
Truro, *Mr. Thomas Mulford*
Bristol, *Capt. Wm. Throop*
Taunton, *Mr. Robert Crossman*
Dartmouth, *Capt. Nath. Soul*

Rehoboth, Daniel Smith Esq ;
Little Compt. Tho. Church Esq ;
Swanney, John Rogers Esq ;
Tiweren, Mr. Gershom Woodel
Attleborough, Mr. David Freeman
Dighton, Mr. Ephraim Atwood

Norton, Mr. John Hodges
Barrington, Mr. James Adams
Freetown,
York, Lewis Bane Esq ;
Kittery, Joseph Hammond Esq ;
Wells, Capt. Joseph Hill

Berwick, Mr. James Grant
Edgartown Mr. John Norton
Chilmark { Pain Mayhew Esq ;
Tisbury,
Nantucket, Mr. Joseph Coffin.

The House proceeded to write their Votes for a Speaker, which being Collected and Examined, it was found that *John Burril* Esq; was chosen by a major part of the House. He was accordingly Conducted to the Chair.

The House proceeded to the choice of a Clerk by written Votes, which being Examined, it appeared that Mr. *John White* was chosen by a major part of the House, and he was sent for to the House.

A Message sent up to the Board by Col *Hutchinson*, Col. *Thaxter*, and Major *Savage*, to report to his Excellency the Governour, the Choice the House had made of a Speaker.

Who return'd that his Excellency said the Choice is acceptable to him.

3. Post Meridiem.

A Message sent up to the Board by Mr. *Remington*, Capt. *Hammond*, and Mr. *Porter*, That the House are now ready to proceed to the choice of Councillors. [2]

Who return'd that the Board are ready to join with the House in the Election.

Ordered, That Major *Savage*, Mr. *Lindal*, Major *Stoddard*, Mr. *Remington* and Capt. *Wadsworth*, be a Committee to carry up the Votes of this House for Counsellors, and assist in sorting and numbering them together with the Votes of the Board, and Report to the House the several Elections that shall be made.

The said Committee carried up the Votes of the House for Counsellors in the late Colony of the *Massachusetts Bay*, until that Eighteen were chosen by a major part of the Voters.

Then for the late Colony of *New-Plymouth*, and return'd that Four were chosen as aforesaid.

Then for the late Province of *Main*, and returned that Three were chosen as aforesaid.

Then for the Territory between *Sagadahoc* and *Nova Scotia*, and return'd that One was chosen as aforesaid.

And lastly for Persons dwelling in any part of the Province, and return'd that Two were chosen as aforesaid.

And reported that the Names of the Persons chosen, are as follows, viz.

The Honourable *William Dummer* Esq ;
John Appleton Esq ;
Edward Bromfield Esq ;
Nathaniel Norden Esq ;
Thomas Hutchinson Esq ;
Thomas Fitch Esq ;

Samuel Sewell Esq ;
John Higginson Esq ;
Thomas Noyes Esq ;
Benjamin Lynde Esq ;
John Clark Esq ;
Jonathan Belcher Esq ;

Penn Townsend Esq ;
Samuel Patridge Esq ;
William Taler Esq ;
Addington Davenport Esq ;
Samuel Brown Esq ;
Jonathan Downe Esq ;

Of the Inhabitants or Proprietors of Lands within the Territory formerly called *New-Plymouth*, viz.

Nathaniel Byfield Esq; Isaac Winslow Esq; John Cushing Esq; John Otis Esq;

Of the Inhabitants or Proprietors of Land within the Territory formerly called the Province of *Maine*, viz.

John Wheelwright Esq; Adam Winthrop Esq; and Joseph Hammond Esq;

Of the Inhabitants or Proprietors of Lands lying within the Territory between *Sagadahoc* and *Nova Scotia*, viz.

Elisha Cooke Esq;

Of the Inhabitants or Proprietors of Lands in any part of the Province,

Nathaniel Paine Esq;

Edmund Quincy Esq;

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jobis 29. Die Maii, 1718.

O *Ordered*, That *Edward Hutchinson, William Dudley, John Stoddard, Francis Fullam*, and *Jonathan Remington*, Esqrs. wait on his Excellency the Governour, with the afore-written List of the Counsellors or Assistants newly chosen for the Year ensuing, for his Excellency's Approbation of the Persons therein named, to be given in Writing under his Hand.

The House proceeded to Examine the Returns of the Precepts, made from the several Towns, of the Choice of their Representatives.

Addington Davenport and *John Clarke*, Esqrs, brought down the List of Counsellors newly chosen; there being entred therein as follows, viz.

The within named Gentlemen were duly Elected (by the Council and Representatives) of His Majesties Council.

Attest. Josiah Willard, Secr.

And by his Excellency the Governour,

I Negative Elisha Cooke Esq; the rest I Accept of, SAMUEL SHUTE.

Mr. *Nathanael Soul*, return'd Representative of the Town of *Dartmouth*, not appearing.

Ordered, That Mr. Speaker issue his Warrant, requiring him forthwith to attend His Majesties Service in this House.

Upon reading the Return upon the Precept to the Town of *Framingham*,

It being Remark'd and Objected, That the said Return is Signed but by three Select-men (there being five in the Town) one of which three is Col. *Buckminster* the Person returned, and Debate arising thereon.

Resolved, That the said Return be accepted notwithstanding, tho' said *Buckminster* is one of the Select-men, the other two Select-men not being present at the meeting when the Choice was made.

A Message from his Excellency the Governour by *John Otis Esq;* That the two

worthy Members of this House now Elected Counsellors may be sent up, to take their Places at the Council Board.

The said two Members, viz. *Jonathan Dowse* and *Joseph Hammond*, Esqrs. were sent up to the Board, accompanied by *Capt. Chambers*, *Mr. Remington*, *Mr. Lindal*, and *Capt. Bane*.

A Message from his Excellency the Governour, by *John Cushing & Nathanael Paine*, Esqrs. That this House do now attend him in the Council Chamber.

Mr. Speaker and the House went up accordingly, and his Excellency made a Speech to the Court; whereof Mr Speaker obtain'd a Copy, and with the House returned to their own Chamber. His Excellency's Speech Read, and is as follows, viz. [3]

GENTLEMEN,

IN several preceeding Sessions I have mentioned to You how extreamly Necessary it was for us to find out some means to advance the sinking Credit of our Publick Bills; As also what measures may be proper to be taken for the Incouragement of the Products of this Province, and especially the raising of Hemp and other Naval Stores: This has been so coolly received hitherto, that I had almost given over the thoughts of offering it again to Your Consideration; But finding that the Ill consequences of our not giving due Attention to these weighty Affairs, are every Day Increasing, and that they will Inevitably end in our utter Destruction if not timely prevented: And also Judging that if I omitted it I could not answer the Trust my Master King GEORGE hath reposed in me, and should also be wanting in my tender Care and Regards for the Welfare of this Province: I thought myself under an Indispensible Necessity once more to lay these Matters before this General Assembly; Give me leave to assure you, that Delays in such grand Matters as these, are highly Dangerous, and I should think if you would a little reflect upon the miserable State of Your Neighbours at Carolina, it would awaken You, and make You think it high time to look about You, for I am throughly convinced that if nothing be done this Sessions we shall find, that to attempt it hereafter will be too late.

Since the Meeting of the last Assembly there hath been a Committee of the Council appointed to take these Matters of so great Importance into their serious consideration; And I hope there will be laid before you some Proposals that may probably put a Stop to this Dangerous evil, that we at present groan under, and question not but each Member of both Houses will be assisting in this Affair with their utmost Zeal and Cunning, which will Answer the trust and Confidence the Country reposes in You who are their Representatives, and will render your Names Famous to this present Age, as also to the succeeding Generations.

I have lately received Letters from the Lords of Trade and Plantations, wherein they make heavy Complaints of the vile Abuses that the makers of Pitch, Tar and Turpentine Commit, by mixing sand with it, and filling great part of the Barrels up with large stones: I think this Complaint demands of You to make some strict Law to pre-

vent it for the future, which if not Immediately complied with, the Bounty Money, will be taken off, which will not a little Affect the Trade, as also remove the advantage which at present this Province reaps by it.

I have received several Informations from the Eastward that the Sloops that come thither for Boards, bring with them Cargoes of Rum, which they Sell to the Indians who get very often Drunk with it: This creates among them great Disorders, which will be followed with fatal Consequences. I hope then Gentlemen, since the Honour of God and the Peace of these Provinces so much depend upon the stopping of this evil practice, that you will not slip this Opportunity of redressing it.

Last Sessions we had the Affair of enlarging the College under consideration, I hope you will now resume and go through it.

The Season of the Year is generally very Hot, and therefore tho' I could offer some other matters worthy of your thoughts, I shall rather choose to defer them till our next Meeting.

3. Post Meridiem.

The usual Orders of the House were Read, and Ordered, To be the Orders of the House during the Sessions thereof.

Ordered, That Capt. *Sternes*, Capt. *Chapin* and Mr. *Wilson*, be Monitors of the House to take care that the Orders thereof be duly observed.

Ordered, That Mr. Speaker issue a Precept to the Town of *Charlstown*, and another to the Town of *Kittery*, that each of them may send a Person to Represent them in this House, in the room of *Jonathan Dowse* and *Joseph Hammond Esqrs*; their former Representatives, now Elected of His Majesty's Council.

A Representation of *John How*, *Peter Clayes*, and 16 others, Presented to the House and Read, Complaining of illegal Proceedings in the Election of Col. *Joseph Buckminster* return'd Representative of the Town of *Framingham*. And several Evidences to support the said Complaint. Read.

Ordered, That the Complainers serve the Select Men of the Town of *Framingham* with a Copy of their Complaint, and that the said Select Men be directed and required to attend this House and make answer to the said Complaint on the 3d Day of *June* next at three a Clock in the Afternoon.

Ordered, That Mr. *Remington*, Mr. *Porter* and Capt. *Cawley*, be a Committee to consider of that Paragraph in His Excellency's Speech relating to the vile Abuses committed in mixing Sand and Stones with Tar, Pitch and Turpentine, that is Shipt off, and to Project and lay before the House a Draught of a Bill, more effectually to prevent such Frauds.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Ueneris, 30. Die Maii. 1718. A. M.

Ordred, That Col. *Thaxter*, Mr. *Lindal*, Maj. *Savage*, Mr. *Remington* and Capt. *Fullam* be a Committee to examin and consider the Subject, Matter and Allegations of such Petitions as are referred to them, and report the same, with their opinion thereon to the House.

A Petition of *John Barrel* of *Boston*, Presented to the House and Read, Praying, That he may be enabled to sell a House and Land in the said Town, which was his late Wife *Abiah's*, and which in her life time they Mortgaged (to obtain Money to Build thereon) that so the said House may be Redeemed and not Forfeited to the Mortgagee.

And the Question being put, Whether the Prayer of the Petition be Granted? It pass'd in the Negative.

A Petition of *Robert Pateshall* in his own Right, and *Thomas Hichborn* and *William Thomas* in Right of their Wives, Children of *Richard Pateshall* Deceas'd, Presented to the House and Read, Praying that an Island called *Damaris Cove*, lying to the East of *Kennebeck River*, which was the said *Richard Pateshall's*, may be annexed to *Suffolk*, or some other County, that so they may know where to Prosecute in the Law and Eject some Persons, that have wrongfully entered on, and taken possession of the said Island, Committed.

A Petition of *Thomas Hardin* Refiner of Iron, Presented to the House and Read, Praying, That a suitable *Premium* by the Tun may be allowed him, for his Encouragement to Refine Iron, and a meet Encouragement for splitting of Iron. [4.]

Ordered, That *Samuel Thaxter*, Esq; Capt. *Joseph Wadsworth*, Col. *Henry Somersby* and Mr. *Robert Crossman*, with such as the Honourable Board shall Joyn, be a Committee to consider and lay before this Court, what they think proper to be done for Encouraging of Iron Manufacture in this Province; and to whom the said Petition is referred.

A Message from the Council by *Edmund Quincey* and *Jonathan Dowse*, Esqrs; that there is a Member wanting at that Board, which they are ready now to Joyn with the House in Electing.

Voted, That the said Choice be attended this Afternoon.

A Message sent up to the Board by Mr. *Lindal* and Capt. *Osgood*, to propose to them accordingly.

A Petition of Capt. *Zechariah Tuthill*, Presented to the House and Read, Praying a larger Allowance than now he has, may be Granted to him for the Victualing of the Garrison at Castle *William*. Committed.

A Bill Intituled, *An Act in Addition to the Act Intituled An Act, for Review in civil Causes*. Read a first time.

Ordered, That *Habijah Savage*, Esq; Capt. *Peter Osgood*, *Charles Chambers* Esq; Col. *Henry Somersby*, Col. *William Dudley*, Maj. *John Denison*, Maj. *John Stod-*

dard, Samuel Porter Esq; and Capt. Thomas Tilestone, with such as the Honourable Board shall Nominate, be a Committee to receive of the Treasurer such Bills of Publick Credit as are Defac'd and unfit for Use, or that have been called in, and take an Accompt of the Number of each of the sorts of the said Bills, and the Sum the whole amounts to, and give the Treasurer Receipt for them, and Burn the said Bills to Ashes and make report of their Doings to this Court.

Sent up for Concurrence.

3. Post Meridiem.

Ordered, That a Message be sent up to the Board by Col. Thaxter and Col. Somersby desiring His Excellency the Governour to Request the Government of Connecticut, to appoint some Person in this Government to Exchange such of their Bills of Publick Credit as are called in, and such as are torn and defac'd, and unfit for Use, for those that are by the said Government ordered still to have Currency.

Sent up for Concurrence.

A Message from the Board by Nathaniel Paine Esq; That they are now ready to receive the Votes of the House for a Councillor for the Territory between Sagadahoc and Nova Scotia.

The House brought in their Votes accordingly, which were sent up by the Committee that carried up the Votes for Counsellors on the Day of Election of Counsellors.

Who returned that Paul Dudley Esq; was chosen by a Majority of Voters.

Ordered, That Edward Hutchinson, William Dudley, John Stoddard, Francis Fullam, and Jonathan Remington, Esqrs; wait on His Excellency the Governour, for his Approbation of the Person above named, to be a Counsellor or Assistant for the Year ensuing, to be given in Writing under his hand.

The said Vote sent down from the Board by Jonathan Belcher and Joseph Hammond, Esqrs; It being entered thereon as follows. viz.

In Council the above-named Paul Dudley, Esq; was duly Elected of His Majesty's Council, by the Council and Representatives of the above said Province, in General Court Assembled this 30th of May 1718 being a Proprietor of Lands in the abovesaid Limits.

Josiah Willard Secr.

And by His Excellency the Governour. viz.

I Agree with the Choice you have made of Paul Dudley, Esq; SAMUEL SHUTE.

A Petition of Mary Thwlo of Newbury, Presented to the House and Read, Praying that she may be enabled to review an Action between her on the one part, and John Noyes and John Robinson of the said Town on the other part, for a Tract of Upland and Meadow in the said Town, before one of the 2 next Superiour Courts of Judicature to be holden in and for the County of Essex, for reasons therein mentioned wherein she is now foreclosed in the Law.

Sent up.

A Petition of *Edmund Rice, Thomas Frink* and 37 others of the Town of *Sudbury*, Presented to the House and Read, Praying, that the Dividing Line between the 2 Precincts in the said Town, may not be the River, but may be such as will equally Divide the Town.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati, 31. Die Marti, 1718 A. M.

A Petition of *Thomas Gardner* Representative of the Town of *Brooklin*, Presented to the House & Read, praying, That a Tract of Land may be Granted to the said Town, in Consideration of the straitness of their Limits, for the Accommodation & Settlement of their Posterity.

And the Question being put, *Whether the Prayer of the Petition be granted?*

It pass'd in the Negative.

A Petition of *John Sharp, Robert Edgcomb*, and 9 others of *Winter Harbour*, presented to the House & Read, Praying, That *Ten Pounds* in addition to the 30 *l.* already allowed may be granted, towards the Maintenance of the Ministry there the Year Currant. In answer to the said Petition.

Resolved, That the Sum of *Ten Pounds* more, so as to make the whole *l. 40.* be allowed & paid out of the Publick Treasury, towards the Maintenance of the Ministry at *Winter Harbour* the Year Currant, ending the first of *October* next.

Sent up for Concurrence.

This House having credible Information that there are great Disorders & Intemperance indulg'd at *Winter Harbour* Fort.

Voted, That his Excellency the Governour be Requested, to give the Command of the Garrison there, to some Prudent, Sober, Vertuous Person, that will Encourage and Maintain Vertue & good Orders there.

The Report of the Committee appointed the 11th of *Feb* last to view the Land Petitioned for by *John Higginson*, and 80 others, and make Report, &c. Brought down from the Board by *Adam Winthrop* Esq; having been Read in Council this day. Read.

Ordered, That the Votes of this House be Printed twice a Week, and that Major *Savage*, and Capt. *Wadsworth* be Desired to Inspect them, and take care to have them Printed.

And then the House Adjourn'd till Tuesday next, Nine a Clock in the Morning.

Province of the Massachusetts-Bay.

V O T E S

Of the House of Representatives.

Mar^{tis}, 3. Die Junii. 1718. A. M.

A Message sent up to the Board by Mr. *Remington*, and Col. *Thaxter*, Desiring that the Bill for Taking a new Valuation of the rateable Estates of the several Towns of this Province which was before the Court at their Session in *November* last, may be sent down. Which was sent down accordingly.

Ordered, That Mr. *Porter*, Maj. *Stoddard*, and Maj. *Denison*, be a Committee, to Examine and Consider, what Acts are Expired, or near Expiring, that should be Revived or further continued, and make report to the House.

A Bill Intituled, *An Act for the better Regulating of the Culling of Fish*. Read a first time.

An Accompt of *John Dyer* Treasurer of the County of *Plymouth*, from *Decemb.* 1716. to *March* 6. 1717, 18. Read, and

Ordered, That the said Accompt be Allowed. Sent up for Concurrence.

Five Accompts of the late Secretary Mr. *Woodward's* that were this Session, sent down from the Board, Considered, and

Ordered, That Col *Dudley*, Maj *Stoddard* and Mr. *Pierce* be a Committee to Examine the said Accompts and Report what they think proper should be allowed on the same.

A Bill Intituled, *An Act in addition to the Act Intituled, An Act for Review in civil Causes*. Read a 2d time.

A Message from the Board by *Penn Townsend* Esq; That whereas a Hearing was appointed to be to Morrow between the Towns of *Springfield* and *Enfield*: The Parties concern'd not being prepared Request that it may be Deferred till this day Fortnight. And brought down the following Resolve, viz. In Council *June* 3d. 1718. The Question being put, upon the Act for Punishing Criminal Offenders, viz. That Paragraph against Lying and Libelling, Whether the power of fining the person Convict, not exceeding *Twenty Shillings* be meant as a general Rule, not only for single Justices, but even for the Courts of General Sessions of the Peace, and Court of Assize and General Goal Delivery, in causes of that nature that come before them.

Resolved, That the Courts of Assize and General Sessions of the Peace are not restrained, by the said Act, but may set any reasonable fine, according to the nature of the Offence, as in Cases of Breach of the Peace, or other Misdemeanours.

Sent down for Concurrence. Read.

Samuel Sewall, Isaac Winslow, John Cushing and John Wheelwright Esqrs;

Brought down a Report of a Committee that was appointed by the Governour and Council, in the recess of this Court to find Expedients, for Raising the value of the Bills of Credit, and Recovering the Trade of this Province, having been Read in Council. Read.

3 Post Meridiem.

According to the Order of the Day the Select-men of the Town of *Framingham* attended the House to Answer to the Complaint of *John How, Peter Clayes, &c.* that Col. *Buckminster* was not duly Elected the Representative of the said Town. And the Parties being fully heard, were ordered to withdraw.

And Col. *Buckminster* was directed to withdraw, while the affair relating to his Election was Debated in the House.

Resolved, That the Select-men of *Framingham* be called up and Admonished by Mr. Speaker; Forasmuch as it appears to this House that they fail'd in their Duty in not Questioning and Examining those that were objected against, as not qualified to Vote. Which was done accordingly.

Upon consideration of the Allegations made by the Complainers against the Election of *Joseph Buckminster* Esq; to be the Representative of the Town of *Framingham*.

Resolved, That the said Election is not Invalidated: but that *Joseph Buckminster* Esq; continue to sit as a Member of this House.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [6]

Mercurii 4. Die Junii 1718. A. M.

THE Precept return'd from the Town of *Charlestown*, and Certified thereon that Capt. *John Foy* is chosen their Representative. He appeared and was sent up to the Board to be qualified by taking the Oaths, &c.

The Report of the Committee of the Council for raising the value of the Bills of Credit, which was brought down yesterday, Read again, and the several Articles thereof distinctly considered.

Ordered, That Col. *Edward Hutchinson*, Maj *John Stoddard*, Mr. *Thomas Turner*, Capt. *John Cawley*, *Samuel Porter* Esq; *Charles Chambers* Esq; and Col. *William Dedley*, with such as the Honourable Board shall appoint be a Committee to whom the consideration of all the said Articles (except the second) is referred, That they Report their Opinion what is proper for this Court to do thereon, and offer such other Expedients, as they shall apprehend will advance the Ends proposed. Sent up for Concurrence.

A Message from the Board by *Isaac Winslow* Esq; That the House is Desired to come up to Attend the Hearing appointed to be this day between the Towns of *Kittery* and *York*, upon their Claims to be the Shire Town of their County.

Mr. Speaker and the House went up accordingly: And the Parties were heard and Dismist. And a further Hearing that was appointed to be this Day in Answer to the Petition of *James Lowden, &c.* the 11th. of *Feb.* last was attended.

And then Mr. Speaker with the House return'd to their own Chamber.

3. *Post Meridiem.*

The Petition of *Lewis Bane*, Pass'd upon in this House the 5th of *November* last, upon which a Hearing has been this day. Sent down from the Board, Pass'd on there, *viz.* *June* 4th 1718. Upon a Hearing had this day before the whole Court on this Petition.

Whereas the Law of this Province has Declared the Town of York to be the Shire Town of the County of York:

Resolved, That the Registry of Deeds be kept, and the Superiour Court of Judicature, &c. be held hence forward in the said Town of *York*.

Sent down for Concurrence. Read and Concurr'd.

The Petition of *James Lowden, &c.* on which there was a Hearing this Day: Sent down from the Board, Pass'd on there, *viz.* In Council, *June* 4th 1718. Upon a full Hearing, had this Day of both Parties on this Petition. Put to the Question, *Whether the prayer thereof be Granted?* It pass'd in the Negative.

Sent down for Concurrence.

A Petition of *Allen Breed, William Farrington, Theophilus Farrington, Joseph Rhoads, William Curtis, and Abigail Rhoads*, Widow, presented to the House and Read Praying that addition may be made to the Act for Regulating of common Lands, that may relieve them under an Aggrievance, which the present Law will not reach. Read, and

Ordered, That Capt. *Chambers*, Mr. *Turner*, and Mr. *Pain* be a Committee to whom the said Petition is Referred, to report what they think is proper to be done in answer thereto.

A Petition of *Richard Coomes* in behalf of himself and *Hephzibah* his Wife by *Samuel Stevens* his Attorney, presented to the House and Read, shewing, That they obtained an order of this Court in *Decemb.* 1715. enabling them to file a Bill in the Courts of Judicature, for their Right or Equity of Redemption of certain Lands which were Mortgaged to *Florance Maccarty*, who in the time of their Non-age had Sued out the Mortgage, and Recover'd the Lands; But the Honourable Superiour Court of Judicature did not proceed to relieve them because the said Order of this Court, had not the form of a Law, praying that a Law may be Enacted for their relief in the said Case. Sent up.

A Memorial of the Reverend Mr. *Joseph Baxter*, Missionary from this Court to Evangelize the Eastern *Indians*, exhibiting an account of his proceedings in that affair. Sent down from the Board. Read.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Tobis 5. Die Junii, 1718. A. M.

A Petition of the Select-men of *Medfield*, presented to the House and Read, praying that a Tract of Land may be Granted to them for reasons in the Petition alledged.

And the Question being put, *Whether the prayer of the Petition be Granted?*

In pass'd in the Negative. [7]

The Report of the Committee of Council, which was pass'd upon in this House Yesterday, to consider proper Expedients for the Raising the value of the Bills of Credit, &c. brought down from the Board by *Addington Davenport, Thomas Hutchinson, Thomas Fitch, Edmund Quincey, Jonathan Belcher, and Paul Dudley Esqrs*; with a Vote of the Council, making addition to the 2d Article in the said Report, with a Motion that now the said 2d Article be accepted and Committed to the Committee of both Houses for consideration.

Sent down for Concurrence.

Read and Concurr'd.

Half an Hour past 3 P. M.

A Report of *Penn Townsend Esq*; &c. the Committee appointed the 30th of *May* last to receive of the Treasurer, and Burn unserviceable Bills of Credit, presented to the House and Read, shewing that they had received of the Treasurer, and burnt the Sum of *l. 10940 10 d half peny*, at their express value, *l. 7536. 9 s. 9 d.* thereof, having been received for Taxes, &c. which with the *5 per Cent.* advance, as they were received into the Treasury, amounts to the Sum of *l 7913 6 s. 3 d.* and *l. 3403 11 s 1 d.* Neet Bills received of the Trustees, for the *l. 50000* amounting in the whole to the Sum of *l. 11316 17 s. 4 d.*

Resolved, That the said Report be accepted, and that the Treasurer be discharged accordingly. Sent up for Concurrence.

Mr. Treasurer *Allen* was admitted into the House and presented his Accompts, the present state of the Treasury Read, and he withdrew.

A Message from the Board by Mr Secretary *Willard*, That the House now come up to Attend the Hearing appointed to be this Day upon the Petition of *Thomas, Joseph, Edward, Mark and Nathaniel Ayers.*

Mr. Speaker and the House went up accordingly. And the Parties being heard return'd again to their own Chamber.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 6. Die Junii, 1718, A. M.

A Petition of *Daniel Lincoln, Stephen Stoddard, George Wilson and Jonathan Bates* in behalf of the Inhabitants of *Cohasset of Little-Hingham*, Praying, That they may be enabled to call a Precinct Meeting. Sent down from the Board,

Pass'd on there *viz.* In Council *Feb.* 10th, 1717. Read, and *Ordered*, That upon Application made to a Justice of the Peace in the said County by five or more of the Inhabitants of *Cohasset* or *Little-Hingham* for a Precinct Meeting, such Justice is hereby directed and Impowered to Grant a Warrant for such Meeting, expressing the time place and Occasion thereof directed to one of the Constables of the Town of *Hingham* requiring him to notify the Inhabitants of said Meeting according to the direction of said Warrant, 14 Days before the Day appointed for such Meeting. And that at such Meeting, the Inhabitants of the said Precinct be Impowered to appoint any other way or Method, for Calling Meetings for the future. Sent down for Concurrence. In Council *June* 5th 1718. *Ordered*, That the above Order be Revived. Sent down for Concurrence. Read and Concurred.

A Petition of *Stephen Sewall*, Presented to the House and Read, Praying Allowance for his Service as Commander of the Fort at *Salem* in the late War, Committed.

A Bill Intituled, *An Act for the better Inquiry into the Rateable Estate of this Province.* Read a 2d time and long Debated.

Ordered, That Col. *Hutchinson*, Col. *Thaxter* and Maj. *Denison* be a Committee to prepare a Draught of a Bill Conformable to the alterations now agreed on by the House.

A Message from the Board by *John Cushing* Esq; for the House now to come up and attend the Hearing appointed to be this Day in answer to the Petition of *Thomas Smith* of *Rhode-Island*, *John Budd* and *Rebeckah* his Wife.

Mr. Speaker and the House went up accordingly. And the Parties being heard returned again to their own Chamber.

3. Post Meridiem.

Mr. Treasurer *Allen's* Accompts Read.

Ordered, That Capt. *Chambers*, Mr. *Wadsworth*, Mr. *Lindal*, Mr. *Porter* and Mr. *Remington*, be a Committee to Examin and Audit the Treasurers Accompts, and make Report to the House.

A Bill Intituled, *An Act in further Addition to the Act Intituled, An Act for Regulating of Fences Cattel, &c.* Read a first time.

A Bill Intituled, *An Act relating to Petitions or Memorials, preferred to the General Court.* Sent down from the Board for Concurrence.

Read a first time.

A Petition of *Elisha Johnson* of *Sutton*, Praying, That he may be allowed to take a Conveyance of 200 Acres of Land from the Indians of *Assanamisco*, which they are willing to give him, in Consideration of his making a Bridge over each of the Branches of *Blackstones-River*, where it passes through their Land.

Sent down from the Board, having been Read there. Read. [8]

And the Question being put, *Whether the Prayer of the Petition be Granted?*
It Pass'd in the Negative.

A Petition of *Timothy Holloway of Dighton*, Presented to the House and Read, Praying, That an Order of this Court pass'd in *October 1713*. relating to him and some others may be Reconsidered and Explained, for reasons therein Rendered.
Sent up.

The Committee for Petitions offered their Report, on the Petition of *John Higginson* and 80 others, and upon the Report of the Committee which was sent to view the Land Pray'd for in the said Petition. Which was Read and Accepted by the House, and accordingly

Ordered, That the Report of the Committee that was sent to Inspect the said Lands be Accepted, and that *Samuel Thaxter, Jonathan Remington* and *Francis Fullam*, Esqrs; be a Committee to lay out as soon as may be the said Township, from the South West corner of *Grotton* Line, to run 6 Miles Notherly upon *Grotton* West Line, then to turn upon a right Angle, and run Westerly so far as that upon a return to meet the Southerly Line of said Township, it will make the Quantity of six Miles square exclusive of *Woburn* Grant, and that the said Committee be Impowered to Grant out Lots to the Petitioners or others, upon Condition that they bring forward a Settlement and Dwell on their respective Lots, in their own Persons within the space of 3 Years next after their Lots are laid out to them, they paying the Committee the Charge of Laying out the same. And the said Committee are to take Care it be settled in a defensible manner, reserving a Conveniency of Land for the Ministry and Schools. And that the Land bordering Notherly between that and *Dunstable*, be kept clear from being taken up by private Grants. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 7. Die Junii, 1718. A. M.

THe Petition of *Thomas, Joseph, Edward, Mark* and *Nathaniel Ayers*, Pass'd upon in this House, the 20th of *October* last, on which there was a Hearing the 5th Currant, Sent down from the Board, Pass'd on there, *viz.* In Council.

Resolved, That the several Grants of Lands made to the Children and Posterity of *John Ayres* formerly of *Brookfield* (alias *Quabaog*) Deceas'd by Col. *Patridge* and others the Committee for *Brookfield*, in *Octob. viz.* the 27th 1714. be confirmed to the several and respective Grantees as therein Named, their Heirs and Assigns, and the Forfeiture thereof Declared by the said Committee is hereby made Null and Void. Sent down for Concurrence. Read & Concurr'd with an Amendment, to be inserted after the word Assigns, *viz.* In full of all Claims and Demands whatsoever, in Right of *John Ayres* Deceas'd late Father of the Petitioners (as they Propose.) And that those and those only who have or shall bring

forward a Settlement on their respective Lots, within the space of Three Years next coming, shall be Intituled to after Divisions of Land in the said Town.

A Plat of 3000 Acres of Land laid out for the Town of *Sherbourn*, pursuant to an Order of this Court, Pass'd the 6th Day of *June* last. Presented to the House for Confirmation, being laid out by *Thomas White* Surveyor and Chainmen under Oath.

Resolved, That the said Tract of Land Described in the said Plat be Granted and confirmed to the said Town of *Sherbourn*, Provided it contain no more than the Quantity of 3000 Acres and Intrench upon no former Grant.

Sent up for Concurrence.

And then the House Adjourn'd till Monday next, Three a Clock Afternoon.

Province of the Massachusetts-Bay.

VOTES

Of the House of Representatives.

Junæ 9. Die Junii 1718. P. M.

A Bill Intituled, *An Act for the better inquiry into the Rateable Estate of this Province.* Read a 3d time. And pass's to be Engross'd.

Sent up for Concurrence.

Ordered, That the House proceed to Proportion the Sums to be paid by the several Towns of this Province, in the Tax to be Levied this Session on Thursday next in the forenoon.

A Bill Intituled, *An Act in Addition to the Act Intituled an Act for Review in civil Causes.* Read a 3d time.

And the Question being put, *Whether the Bill shall pass to be Engrossed?*

It pass'd in the Negative.

A Bill Intituled, *An Act in further Addition to the Act, Intituled, an Act for Regulating of Fences, Cattel, &c.* Read a 2d time.

The Committee appointed brought in a Draught of a Bill, Intituled, *An Act in further addition to the Act for Regulating the Assize of Cask for Tar, Pitch, Turpentine & Rozin, for preventing Frauds, and Deceits in the said Commodities.*

Which was Read a first time.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis, 10. Die Junii. 1718. A. M.

A Petition of *Thomas Oakes & Josiah Oakes* Agents for that part of the Town of *Eastham* called *Billingsgate*, presented to the House and Read, praying, That they may be set off and Constituted a distinct Township according to Limits exprest in the Petition, for reasons alledged.

Ordered, That the said Petition be Referred to the next Session of this Court for further consideration.

A Petition of *Thomas Harvey* and *Nicholas Morey*, praying as entred the 14th of Feb. last. Read and sent up.

A Bill Intituled, *an Act in addition to an Act Intituled, an Act more effectually providing for the support of Ministers.* Read a first time.

A Bill Intituled, *an Act relating to Petitions or Memorials preferred to the General Court.* Read a 2d time.

A Bill Intituled, *An Act in addition to the several acts for Settlement & Support of Schoolmasters.* Read a first time.

A Bill Intituled, *An Act in further addition to the act Intituled, an Act for Regulating of Fences, Cattel, &c.* Read a 3d time: And pass'd to be Engrost.
Sent up for Concurrence.

A Bill Intituled, *An Act for the better Regulating of the Culling of Fish.*
Read a 2 time.

Ordered, That Col. *Hutchinson*, and Mr. *Turner* be of the Committee for Auditing the Treasurers Accompts, in the room of Mr. *Remington* and Mr. *Lindal* who are absent.

Col. *Dudley* from the Committee appointed for that end, Reported, That they had Examined the five Accompts of the late Mr. Secretary *Woodward* that were committed to them: And are of Opinion that the Sum of *l. 27. 15 s.* be allowed and paid on the same. Which Report was accepted by the House, and accordingly,

Resolved, That the Sum of Twenty-seven Pounds and Fifteen Shillings be allowed and paid out of the Publick Treasury to the late Mr. Secretary *Woodward* in full of all the said five Accompts. Sent up for Concurrence.

The Petition of *Cyprian Southack*, praying as entred the 8th day of *Feb.* last, Read again, and

Ordered, That that part (and no other) of the said Petition which relates to his ransoming two English Captives out of the hands of the Indians be Committed.

Edward Bromfield Esq; brought down from the Board an additional Instruction of His Majesty King *George*, to his Excellency the Governour Directed to be Communicated to the Council and Assembly, lately received, which was Read and sent up. [10]

3. Post Meridiem.

The Petition of *Samuel Stevens*, in behalf of *Richard Coomes* and *Hephzibah* his Wife, which was sent up to the Board the 4th Currant. Sent down from thence, pass'd upon, *viz.* In Council, *June* 7th. 1718. Read & Ordered, That the Petitioners have leave to bring in a Bill agreeable to the Vote of the Court on *Decemb.* 16th 1715. on the Petitioners former Petition.

Sent down for Concurrence.

A Petition of *William Meccarty*, presented to the House and Read, praying, That he may be heard by his Council against the passing of such an Act,

The Vote of Council on the Petition last mentioned, Read again and Concurr'd.

A Memorial of the Ministers of the Gospel in this Province, proposing to this Court to Direct the Asking a free Contribution throughout this Province on the Yearly Thanksgivings or Fasts, to be Improved in Defraying the Charge of sending Ministers, to such Places in this Province, and Parts adjacent as want them,

and to furnish such Places with Books of Piety, &c. Sent down from the Board, pass'd on there, viz. In Council June 5th. 1718. Read. And

In answer to this Memorial:

Resolved, That His Excellency be Desired to Recommend to the several Ministers throughout this Province in his Proclamation for the next General Thanksgiving, to Exhort their People to a free Contribution for the Uses above-mentioned. Sent down for Concurrence. Read and Concurr'd.

Adam Winthrop Esq; brought down the Vote of this Court, on the Petition of the *Ayers*, with this further Vote relating thereto: The Grants of Land made to the *Ayers*, not having been all made in one Year (as was supposed) viz. In Council June 10th. 1718. Voted, That the Words [in *October*, viz. the 27th. 1714.] be left out of the Resolved on *Ayers's* Petition. Sent down for Concurrence.

Read and Concurr'd.

A Petition of *Edward Winslow* Sheriff of the County of *Suffolk*, presented to the House and Read, praying Allowance for his sending forward Praclamations and other Publick Papers from the Government, to several Parts of the Province at several times. Committed.

A Petition of *John Bowles*, *John Mayo*, *William Heath*, and *Nathaniel Brewer* Select-men of the Town of *Roxbury*, presented to the House and Read, praying Abatement of the Province Tax of the said Town for reasons therein mentioned.

And the Question being put, *Whether the prayer of the said Petition be Granted?*

It pass'd in the Negative.

The Petition of *John Colman*, &c. praying as entred the 14th of *Feb.* last.

Read and Committed.

The Report of the Committee appointed the 30th of *May* last to propose Encouragement for the Manufacturing of Iron. Sent down from the Board.

Read, and Recommended. Read.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 11. Die Junii 1718. A. M.

THe Accompts of *Joseph Hammond* Treasurer of the County of *York*, from *April* 3. 1717, to *April* 1. 1718. Presented to the House for Allowance.

Read and

Ordered, That the said Accompt be allowed. Sent up for Concurrence.

A Bill Intituled, *An Act relating to Petitions or Memorials Preferred to the General Court.* Read a third time. and Non-Concurr'd.

A Bill Intituled, *An Act in addition to the several Acts for Settlement and support of School-Masters.* Read a 2d time.

A Bill Intituled, *An Act in Addition to An Act Intituled, An Act more effectually providing for the Support of Ministers.* Read a 2d time. and

Ordered, That Mr. *Lindal*, Mr *Turner* and Mr. *Tay* be a Committee to whom the said Bill is Committed.

A Petition of *Peter Roe*, *John Kent*, *Joseph Winchel* and *John Burbank*, Select Men of the Town of *Suffield*, Presented to the House and Read, Praying, That several of the Votes of the said Town for Granting of Land may be confirmed by this Court, for the Issuing of Differences arisen among them.

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative. [11]

Col. *Hutchinson* from the Committee appointed to Inspect the Accompts of the Commissioner of Impost, Presented their Report, which was Read. and

Ordered, That the said Report be accepted.

Ordered, That Col. *Hutchinson*, Mr. *Lindal* and Capt. *Chambers*, be a Committee to prepare the Draught of a Bill, Granting Duties of Impost and draw thereunto a Paragraph agreeable to the said Report.

3. Post Meridiem.

An Accompt of *Addington Davenport*, *Thomas Hutchinson*, *John White* and *Edward Hutchinson*, Trustees for the Letting out and receiving in the *l. 50000* Loan of Bills of Publick Credit on this Province, Presented to the House and Read, shewing their Proceedings in that Trust and that they had received in the Sum of *l. 20125. 18 s. 11 d.* thereof. *l. 16154* thereof, received as Principal, and *l. 3971. 18 s. 11 d.* as Interest.

Ordered, That Capt. *Chambers*, Capt. *Foye* and Mr. *Turner*, be a Committee to examine and audit the said Accompts and make Report to the House.

Capt. *Chambers* from the Committee appointed to Examine the Treasurers Accompts made Report, That they had attended and gone through that Service, and find them Right cast, and well avouch'd in every Article.

The Accompts of Mr. *Jeremiah Allen* Treasurer and Receiver General of this Province beginning the 31st Day of *May 1717*, and continued unto the 28th Day of *May 1718*, amounting to the Sum of *Forty Seven Thousand Six Hundred and Seventy Pounds Fifteen Shillings*, having been Presented and laid before the House of Representatives, and Inspected by said House, by which it appears there was standing out on said 28th Day of *May*, *Five Thousand Four Hundred and Four Pounds four Shillings and Three Pence* of the Taxes. *Five Hundred and Seven Pounds fourteen Shillings and Six Pence* neet Province Bills, and *Eight Thousand one Hundred and eleven Pounds three Shillings* Province Bills, with the *Five per Cent* advanced thereon, in the Treasury and further to be Accompted for.

Voted, That the said Accompts in the several Articles of Receipts and Payments therein mentioned, amounting unto the Sum of *Thirty three Thousand Six Hundred Forty seven Pounds Thirteen Shillings and Three Pence*, be and are hereby

20 Journal of the House of Representatives

allowed of, and the said Treasurer is hereby Discharged of the said Sum of *Thirty-three Thousand Six Hundred Fortyseven Pounds Thirteen Shillings and Three Pence*. Sent up for Concurrence.

A Bill Intituled, *An Act for Reviving a Bill Filed by Richard and Hepzibah Coomes in His Majesty's Superiour Court of Judicature &c. for their Right or Equity of Redemption, of a Mortgage made by Joseph Newel their Father, of his Farm and Land in Roxbury, in the County of Suffolk, to Florence Maccarty late of Boston Victualler Deceas'd*. Read a first time.

An Accompt of *John Appleton* Treasurer of the County of *Essex*, from *Decemb. 31. 1713. to June 27th 1717*. Presented to the House for Allowance. Read and Ordered, That the said Accompt be allowed. Sent up for Concurrence.

The Report of the Committee of both Houses appointed the 30th Day of *May* last to propose Encouragement for the Manufacturing of Iron, Read again and

A Bill Intituled, *An Act for Promoting the Iron Manufacture within this Province*. Read a first time.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

B O S T O N : Printed & Sold by **B. Green.** 1718. [12 blank, 13]

Province of the Massachusetts-Bay.

VOTES of the House of Representatives.

Tobis 12. Die Junii, 1718. A. M.

A Motion being made and the Question being but upon the second Section or Paragraph in the Act providing for Posthumous Children, and such as have no Legacy given them by Will, made in the Twelfth Year of King *William*.

Whether the said Act doth as well Extend to the Grand-child, in case of the Death of the Father or Mother, as to the Child himself if living?

Resolved in the Affirmative; And that the Law is so to be understood, and practised, any Usage, or Custom to the contrary notwithstanding.

Sent up for Concurrence.

Voted, That Five Thousand and Five Hundred Pounds only of the Twenty-two Thousand Pounds Granted in the Years 1711, & 1712. be Levied and Collected this present Year.

And that the Duties of Impost, and Tunage of Shipping, and Excise together with the Income of the Bills Lent out, and the Light-house be a Fund and Security for the Drawing in the remaining Sixteen Thousand Five Hundred Pounds.

Sent up for Concurrence.

A Narrative of the Suspicious and insolent Behaviour of the Eastern Indians, manifesting a revengeful and hostile Disposition, signed by *John Wheelwright, Joseph Hammond, Lewis Bane, Joseph Hill, and James Grant*.

Sent down from the Board. Read.

Half an Hour past 3 P. M.

According to the Order of the Day, The House proceeded to the Proportioning of the Sums to be raised on each Town of the Province in the Tax to be Levied this Session, Opportunity being given to the respective Representatives, to set forth the State & Circumstances of their Towns; and the Sum to be set on each Town as separately and distinctly Voted: And the proportion to be paid by most of the Towns of the Counties of *Suffolk, Essex, and Middlesex* was Voted.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 13. Die Junii, 1718, A. M.

THe House proceeded to Adjust, and Vote the proportions the remaining Towns in the Province should pay in the Tax to be Levied this Session, and finish'd the same.

Ordered, That Two Shillings and Six Pence be raised on the Poll, in the Tax of *l. 5500.* to be Levied this Session.

Ordered, That Maj. *Denison* be of the Committee for Petitions, in the room of Col. *Thaxter* absent, until his Return.

3. Post Meridiem.

An Accompt of *Richard Pullen* his Dining the House of Representatives on the last Day of Election of Councillors, amounting to the Sum of *l. 15 15 s.* presented to the House for Allowance.

Resolved, That the Sum of Fifteen Pounds and Fifteen Shillings be allowed and paid out of the Publick Treasury to *Richard Pullen* the Accomptant to discharge the said Accompt. Sent up for Concurrence.

Capt. *Nathanael Soul* Representative of the Town of *Dartmouth*, In obedience to the Warrant sent to him from Mr. Speaker, made his Appearance in the House: And made his Excuse for his absence.

Ordered, That his Excuse be accepted, he paying the charge of his being sent for. And the said Member was sent up to the Board to be qualified by taking the Oaths, &c.

The Memorial of the Overseers of *Harvard College*, shewing as entred the 16th. of *November last*. Read, and the several Reports thereon, and the Vote of this House pass'd the 12th of *Feb. 1717*. referring the consideration thereof to this Session. Read.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Sabbati 14. Die Junii, 1718. A. M.

THE Precept sent to *Kittery*, return'd, and, That *John Leighton* Esq; is chosen there Representative, who made his Appearance, and was sent up to the Board to be qualified by taking the Oaths, &c.

An Engross'd Bill, Intituled, *An Act in further Addition to an Act Intituled, An Act for Regulating Fences, Cattel, &c.* Read, and

Resolved, That the Bill do pass to be Enacted. [14]

The Petition of *Samuel Richmond*, *Christopher Thesher*, and 31 others, praying as entred the 12th of *Feb. last*. Read again. And the Question being put, *Whether the prayer of the Petition be Granted?* It pass'd in the Negative.

A Bill Intituled, *An Act in Addition to the several Acts, for Settlement and Support of Schoolmasters* Read a 3 time: And pass'd to be Engross'd.

Sent up for Concurrence.

A Bill Intituled, *An Act for the Reviving a Bill filed by Richard & Hephzibah Coomes, in His Majesty's Superiour Court of Judicature, &c. for their Right or Equity of Redemption, of a Mortgage made by Joseph Newel their Father, of his Farm and Land in Roxbury, in the County of Suffolk, to Florence Maccarty late of Boston Victualler Deceas'd.* Read a 2 d & 3 d time.

And pass'd to be Engross'd. Sent up for Concurrence.

A Peitition of *Nicholas Morey*, and *Thomas Harvey*, Read here the 10th Currant.

Sent down from the Board, pass'd on there, *viz.* In Council *June*, 11th. 1718
Ordered, That the prayer of this Petition as to the Appeal be Granted. And that
the Petitioners bring in a Bill accordingly. Sent down for Concurrence.

Read and Concurr'd.

A Petition of *Samuel Fish* of *Falmouth*, Praying, That he may have Liberty to
File reasons of Appeal anew, and Prosecute the same at the Superiour Court of
Judicature, to be holden at *Plymouth*, in a case wherein he suffers wrong and is
foreclosed in the Law. Sent down from the Board, pass'd on there, *viz.* *May* 29th,
1718. In Council.

Ordered, That the Prayer of the Petition be so far Granted, That the Petitioner
have leave to bring in a Bill to enable him to file his reasons of Appeal anew, and
Prosecute his Appeal at the Superiour Court of Judicature, Court of Assize, and
General Goal Delivery, next to be holden at *Plymouth*, for the Counties of *Ply-*
mouth, Barnstable, &c. Sent down for Concurrence.

Read and Concurr'd.

A Petition of Capt. *Thomas Baker* of *Brookfield*, Praying Consideration and
Allowance to be made him out of the Treasury, or in Land for sundry Services
and sufferings of his, in the late War against the French and Indians. Sent down
from the Board, pass'd on there, *viz.* *June*, 13th, 1718. In Council. Read and
Recommended. Read and Committed.

A Petition of *John Town*, in behalf of the Town of *Oxford*, Presented to the
House and Read, Praying, That the Non-resident Proprietors of Lands in the
said Town may be obliged to yield some Assistance to the said Town in support-
ing the Gospel Ministry, or that this Court will please to make them some Allow-
ance out of the Publick Treasury for that end.

Ordered, That Col. *Dudley*, Maj. *Denison* and Capt. *Tilestone* be a Committee,
to whom the said Petition is Committed.

An Accompt of *Samuel Checkley* Treasurer of the County of *Suffolk* from
April 1716, to *June* 12th, 1718. Read and,

Ordered, That the said Accompt be allowed. Sent up for Concurrence.

A Report of *Samuel Sturges*, *Melatiah Bourn* and *Samuel Jennings* a Committee
appointed in answer to the Petition of *Joseph Crocker*, &c. the 10th of *Feb.* last.
Sent down from the Board, Pass'd on there, *viz.* In Council, *June* 6th, 1718.

Read &

Resolved, That this Report be so far accepted as it settles the Boundaries be-
tween the Lands of *Joseph Crocker*, &c. and of the Indians.

Sent down for Concurrence. Read and Concurr'd.

A Message Sent up to the Board by Col. *Thaxter*, Capt. *Chambers* and Capt.
Osgood, That the House desires to know whether the Council have Pass'd on the
Bill Sent up from this House, Intituled, *An Act for the better Inquiry into the*
Ratable Estate of the Province. Who returned, it was Non-Concurr'd, and would
be Sent down. It was accordingly brought down by *Nathaniel Norden*, Esq;

24 Journal of the House of Representatives

A Petition of *John Leverett* and *Elisha Cooke*, Esqrs; in behalf of themselves and others the Heirs Legataries, of the Honble. *John Leverett*, Esq; some time Governour of the late Colony of the *Massachusetts-Bay* Deceas'd, Praying, That they may have Liberty to Lay out Five Hundred Acres of Land, in some unappropriated Place in this Province, to satisfy a Grant made to the said Deceas'd by the General Court of the said Colony in *May*, 1671. which has not yet been taken up. Sent down from the Board, Read there. Read.

And then the House Adjourn'd till Monday next, Three a Clock Afternoon.

B O S T O N : Printed & Sold by *B. Green*. 1718. [15]

Province of the Massachusetts-Bay.

V O T E S

Of the House of Representatives.

Junæ 16. Die Junii 1718. P. M.

A Petition of *Samuel Danforth, Jared Talbut* and six others, presented to the House and Read, praying Confirmation of their Title to a Tract of Land, of about Nine hundred Acres, called *Bradford's Claim*, which they with others purchased of Maj. *William Bradford*, lying near, and in some part contiguous to the Town of *Taunton*: And that it may be annexed to the said Town.

Mr. Speaker *Burril* being absent:

Ordered, That Col. *Hutchinson* be desired to Officiate as Speaker until the return of Mr. Speaker *Burril*.

A Petition of *Josiah Torrey* of *Tisbury* in *Dukes County*, Clerk, presented to the House and Read; praying Assistance towards his Support in the Work of the Ministry there, for the Year ensuing, for reasons therein mentioned, there being a prospect that he shall be provided for, and not trouble this Court for the future.

In answer to the said Petition:

Resolved, That the Sum of Twenty Pounds be allowed and paid out of the Publick Treasury to the Reverend Mr. *Josiah Torrey* to encourage & assist his continuance in the work of the Ministry in the Town of *Tisbury*.

Sent up for Concurrence.

A Petition of *Mary Evans* of *Boston*, presented to the House and Read, shewing, That her Husband *Jonathan Evans*, is unhappily seduc'd to the Romish Religion at the Island of *Fayall*, where he hath been Six Years, and takes no care for the Maintenance of her and her Six Children; and is not like ever to return to her. Praying, That she may be enabled to Sell or Mortgage all or part of the Real Estate that Descended to her from her late Father *Robert Brouden* of *Boston*, Merchant, deceased for relief of her self and her Family, her Coverture notwithstanding.

Sent up.

A Petition of *Samuel Bill*, presented to the House and Read; praying consideration and allowance for the Damage he sustain'd on his Island, called *Spectacle-Island*, when about 80 Persons were sent down there by order of Authority, before the Pest-house was finished.

Committed.

Samuel Partridge, and *Edward Bromfield Esqrs*; Brought down from the Board a Draught of a Bill prepar'd by the Committee of both Houses, Intituled, *An Act for the Encouraging the Importation of White Male Servants, and the preventing the Clandestine bringing in of Negroes and Molattos*: which was Read a first time.

The Petition of Capt. *Thomas Baker*, praying as Entred the 14th Currant, further considered, and the Report of the Committee offered thereon, which was not accepted: but,

Resolved, That the Sum of Ten Pounds be allowed and paid out of the Publick Treasury to Capt. *Thomas Baker* the Petitioner, in full of all the Allegations mentioned in his Petition. Sent up for Concurrence.

The Petition of Capt. *Cyprian Southack*, which was Read the 10th Currant, further considered; and the Report of the Committee thereon; which was accepted by the House, and accordingly,

Resolved, That the Sum of Twenty Pounds and three Shillings, be allowed and paid out of the Publick Treasury to Capt. *Cyprian Southack* the Petitioner, in full for his Redeeming two English Captives out of the hands of the Indians.

And, That no Allowance be made upon any other Article of his Petition.

Sent up for Concurrence.

A Bill Intituled, *An Act for the Promoting and Encouraging the making of good Iron, and Iron Ware within this Province.* Read a 2 d time.

Adam Winthrop, *Jonathan Belcher* and *Paul Dudley Esqrs*; brought down from the Board the Draughts of 2 Bills prepared by the Committee of both Houses, viz. A Bill Intituled, *An Act for Repealing a clause in the Act for the making & emitting the Sum of l. 100000 in Bills of Credit on this Province.* Which was Read. And a Bill Intituled, *An Act Prohibiting the Exportation of Gold, Money and Bullion.* Which was Read.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [16]

Martis, 17. Die Junii. 1718. A. M.

A Bill Intituled, *An Act prohibiting the Exportation of Gold, Money & Bullion.* Read a 2 time.

The Petition of *Samuel Bill*, praying as entred Yesterday, further considered, and the Committee made their report thereon, which was accepted by the House, and accordingly,

Resolved, That the Sum of Three Pounds be allowed and paid out of the Publick Treasury to *Samuel Bill* the Petitioner, in full of all Damage he mentions in his Petition. Sent up for Concurrence.

The Petition of *Edward Winslow* Sheriff of the County of *Suffolk* further considered, & the report of the Committee offered thereon, which was accepted by the House, & accordingly,

Ordered, That the Petition be Dismist.

A Bill Intituled, *An Act for Repealing a clause in the Act for the making and emitting the Sum of One Hundred Thousand Pounds in Bill of Credit on this Province.* Read a 2 d time.

An Engross'd Bill Intituled, *An Act in Addition to the several Acts for Settlement and Support of School-masters.* Read and

Resolved, That the Bill do pass to be Enacted.

A Bill Intituled, *An Act for the Encouraging the Importation of White Male Servants, and the preventing the Clandestine bringing in of Negroes, and Molatto's.*

Read a 2 d time.

And the Question being put, Whether the Bill be read a 3 d time?

It pass'd in the Negative.

The Petition of *Allin Breed, William Farrington, &c.* further considered, and the Report of the Committee thereon, *viz.* That they apprehend the Petitioners may be relieved by the Act pass'd this Session, Intituled, *An Act in further addition to the Act, Intituled, An Act for Regulating of Fences, Cattel, &c.*

Which was accepted by the House.

The Petition of *John Colman*, Read the 10th Currant, further considered; and the Committee made their Report thereon, *viz.* That the said Petition be sent up to the Board, which was accepted by the House.

A Bill Intituled, *An Act in addition to the Act for preventing abuses to Indians*, Read a 1st time.

A Bill Intituled, *An Act in addition to the Act for Encouraging the Raising of Hemp within this Province.* Read a first time.

A Bill Intituled, *An Act in addition to, and Explination of an Act, Intituled, A Act in addition to an Act, for Upholding and Regulating of Mills.*

Read a first time.

A Bill Intituled, *An Act in further addition to the Act for Regulating the Assie of Cask for Tar, Pitch, Turpentine & Rozin, and for preventing Frauds & Deceits in the said Commodities.* Read a 2 d time.

3. Post Meridiem.

The Bill Intituled, *An Act for the better Inquiry into the Rateable Estate of this Province:* which was sent down from the Board Non-Concurr'd.

Read again, and

Ordered, That the said Bill be sent up again, and that the Honourable Board be desired to Reconsider, and Concur with the House in Passing the said Bill.

The said Bill sent up again, by Mr. *Remington*, Capt. *Osgood*, Col. *Dudley*, Maj. *Stoddard*, and Maj. *Denison*, with a Message, That this House desire to know whether the Board have pass'd upon the Vote of this House for Levying of £. 5500 only of the £. 22000, Granted to be Levyed this Session; who return'd that the Board would send an answer.

A Petition of *Joseph Buckminister Esq;* presented to the House and Read;

praying, That a Sworn Surveyor may be appointed, to lay out to him 300 Acres of Land at a place called *White Hall*, in *Hopkinton*, to satisfy a Grant made *Anno 1643.* to *Thomas Mayhew*, which he has purchased, whereof he had presented (as he thought) a true Plat to this Court for Confirmation, which was Confirm'd to him, but afterward the said Confirmation Disannull'd because the Honourable Court found by their Committee sent to inspect the same, that it contained more than 300 Acres.

Ordered, That Mr. *Porter*, Maj. *Savage*, and Mr. *Ward*, be a Committee to whom the said Petition is Committed.

A Message from the Board by *Nathaniel Byfield*, *John Clark*, *Edmund Quincey*, *Thomas Hutchinson*, and *Jonathan Belcher* Esqrs; That the Board had considered but not yet Concurr'd with the Vote of this House, That *l. 5500* only of the *l. 22000*, Granted should be Levied, Inasmuch as they are not sensible how the said Tax with the other provision made will avail to bring in the said Sum of *l. 22000*. That upon Inquiry made by a Committee they are apprehensive there is a Deficiency, in the provisions made in some past Years to bring in the Bills that have been emitted; and mov'd that a Committee of the House be appointed to joyn with a Committee of the Board to satisfy both Houses in that matter. [17]

Ordered, That Col. *Edward Hutchinson*, Mr. *Timothy Lindal*, *Francis Fullam*, *Samuel Porter*, and *Samuel Thaxter* Esqrs; with such as the Honourable Board shall nominate be a Committee to search the Books, and compare the Sum of the outstanding Bills of Credit, with the Funds laid to bring them in, and make Report to the Court. Sent up for Concurrence.

A Message from the Board by *Jonathan Douse* Esq; That a Hearing was appointed to be this Day, between the Towns of *Springfield*, and *Enfield*, but both Parties desire it may be deferr'd till to Morrow.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 18. Die Junii 1718. A. M.

A Bill Intituled, *An Act in Addition to An Act Intituled an Act more effectually providing for the support of Ministers.* Read a 3 d time and pass'd a Concurrence.

A Bill Intituled, *An Act in Addition to the Act for preventing Abuses to the Indians.* Read a 2d time

A Bill Intituled, *An Act for repealing a clause in the Act for the making and emitting the Sum of One Hundred Thousand Pounds in Bills of Credit on this Province.*

Read a 3d time.

And the Question being put, *Whether the Bill do pass to be Enacted?*

It pass'd in the Negative.

A Bill Intituled, *An Act in addition to (and Explanation of) An Act Intituled, An Act in addition to An Act for upholding and Regulating of Mills.*

Read a 2d time.

The Petition of *Joseph Buckminster*, Esq; Praying as entered Yesterday further considered and the Committee offered their Report thereon, which was accepted by the House, purporting that the said *Buckminster* ought to acknowledge the Errors committed in laying out his Grant of 300 Acres at the place called *Whitehall*, in that a considerable quantity of Land was there laid out by his Surveyor, more than satisfied his said Grant, which the Committee of this Court reported to be so, and that thereupon this Court had justly declared their Vote for Confirmation of his Plat to be null and void and the Land to revert to the Province, and engage to satisfy the charge of the Committee of this House that was sent to the said *Whitehall* before this House proceed to answer his Petition. Which the Petitioner readily complied with, and made an acknowledgement to the Satisfaction of the House; withal assuring the House that he was in no measure Privy to, or sensible of the said Errors, at the time when the said Land was laid out.

A Message from the Board by *Joseph Hammond*, Esq; That the House now come up to attend the Hearing between the Towns of *Springfield* and *Enfield*, concerning the divisional Line between the said Towns.

Mr. Speaker and the House went up accordingly.

And the Parties being heard returned again to their own Chamber.

A Petition of *Richard Carr* and *James Carr*, of *Salisbury*, Presented to the House and Read, Praying, That they may be enabled to bring forward an Appeal to the next Superiour Court of Judicature to be held at *Salem*, in a case between them and *Edward Sergeant* of *Newbury*, wherein they are aggrieved and foreclosed in the Law, for reasons in the Petition assigned. Sent up.

The Report of *John Town* in behalf of the Town of *Oxford*, Praying as entered Yesterday further considered, and the Report of the Committee thereon, which was accepted by the House. and accordingly,

Resolved, That the Select-Men or Assessors of the Town of *Oxford* be Impowered to Levy a Tax upon the Lands of the non-resident Proprietors in the said Town after the Rate of *Twenty Shillings per Annum*, on each 1000 Acres during the whole Term of Five Years next after this present Session, that so the Inhabitants of said Town may be enabled to Build a Meeting-House, and settle a Minister among them, and the Money so arising shall be applied accordingly and no otherwise. Sent up for Concurrence.

A Bill Intituled, *An Act in addition to An Act for Encouraging the Raising of Hemp within this Province.* Read a 2d time.

A Petition of *Jonas Bond*, *Samuel Livermore* and *Samuel Stearns*, in behalf of the Town of *Watertown*, Presented to the House and Read, Praying, That they may have [18] liberty to lay out 1500 Acres of Land granted to the said

Town *Anno* 1637, and 2000 Acres Granted to them *Anno* 1651. which they can't find has ever yet been laid out.

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

An Accompt of *Ebenexar Lewes* Treasurer of the County of *Barnstable* for the last Year, Presented to the House for Allowance. Read and

Ordered, That the said Accompt be Allowed. Sent up for Concurrence.

The following Vote sent down from the Board *viz.* In Council *June* 18th 1718.

Ordered, That *Samuel Partridge* Esq; be joined with *John Chandler* and *Samuel Porter* Esqrs; (in the room of *Samuel Thaxter* Esq;) who were a Committee Impowered and Directed by an order of the Assembly in their Sessions of *May* 1717. to run the Divisional Line between the Towns of *Springfield* and *Enfield*, and that the said Committee do run the Line between the said Towns as soon as it may be conveniently done, and make Report of their doings therein to this Court at their Sessions in the next Fall. Sent down for Concurrence.

Read and Concurr'd.

A Petition of *John Prescott* of *Lancaster*, Presented to the House and Read, Praying Confirmation of his Title to 200 Acres of Land lying in the said Town, which he formerly purchased of the Indian proprietors.

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

3. Post Meridiem.

The Petition of Capt. *Zechariah Tuthill*, Praying as entred the 30th of *May* last, further considered and the Committee made their Report thereon, which was accepted by the House. and accordingly,

Ordered, That there be allowed to the Petitioner *Four Shillings and Eleven pence Half-penny, per Man, per Week*, for the last half Year ending the 26th of *June* Currant, and the Sum of *Five Shillings per Man per Week* for the Year ensuing for his Victualling the Garrison at *Castle William*.

Sent up for Concurrence.

A Bill Intituled, *An Act Prohibiting the Exportation of Gold Money and Bullion*.

Read a 3d time and pass'd to be Engross'd. Sent up for Concurrence.

A Petition of *Samuel Moody*, and 52 others Inhabitants and Proprietors of *Falmouth* at *Casco Bay*, Presented to the House and Read, Praying, That a Committee may be appointed to regulate the Settlement there, and that no Intrinchment may be suffered to be made by *North-Yarmouth* on the Ancient Bounds of the said Town of *Falmouth*.

Ordered, That *Lewis Bane* Esq; and Capt. *Joseph Hill* be added to the Committee formerly appointed to direct and Regulate the Eastern Settlements, any

three of the said Committee (if no more be present) to have power to act in the said Affair. Sent up for Concurrence.

The Petition of *Penn Townsend*, *Thomas Palmer* and *William Hutchinson*, Esqrs; Praying as entered the 7th of *Feb.* last, Read and Committed.

The Memorial of the Overseers of *Harvard College* referr'd to this Session the 12th of *Feb.* last. Read again. and

Voted, That an Additional Building be made to *Harvard College* for the Reception and Entertainment of Students there.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

VOTES

Of the House of Representatives.

Tobis 19. Die Junii, 1718. A. M.

THE Petition of *Joseph Buckminster Esq*; praying as entred the 17th Current, further considered, and pass'd upon as follows, viz.

The Petitioner having given satisfaction to this House as to the Errors, that were Committed in the Plat formerly taken at *White-Hall*.

Ordered, That *Samuel Thaxter Esq*; be appointed Surveyor (with Chain-men under Oath) to lay out to the Petitioner, and at his charge three Hundred Acres of Land, at the place called *White-Hall* in *Hopkinton*, as near as may be in the Form of the Plat taken there by Mr. *Joseph Sherman*, and Return, the Plat he shall protract to this Court, for Allowance and Confirmation.

Sent up for Concurrence.

A Bill intituled, *An Act in addition to an Act, Intituled, An Act for Granting to His Majesty an Excise upon Wines, Liquors, and other Strong Drink Sold by Retail*,
Read a first time.

A Bill Intituled, *An Act in addition to the Act Intituled, An Act for the Making and Emitting the Sum of One Hundred Thousand Pounds, in Bills of Credit on this Province, &c.*
Read a first time.

Ordered, That Col. *Hutchinson*, Col. *Thaxter*, Capt. *Whippel*, Capt. *Osgood*, Capt. *Chambers*, Mr. *Remington*, Mr. *Porter*, Mr. *Thomas*, Capt. *Gorham*, Mr. *Turner*, Capt. *Throop*, Capt. *Bane*, and Mr. *Coffin*, be a Committee, to go to *Cambridge*, this Day view and consider the most convenient place whereon to erect an additional Building to Harvard College, and make report to the House.

A Bill Intituled, *An Act in addition to an Act Intituled, An Act to Prevent Fraud in Cord Wood Expos'd to Sale.*
Read a first time.

An Accompt of *Bartho. Green* Printer, of Printing done for the Government in the Year 1717. amounting per agreement to the Sum of Thirty Pounds; presented to the House for Allowance.
Read, and

Resolved, That the Sum of Thirty Pounds be Allowed, and Paid out of the Publick Treasury to *Bartho. Green* the Accomptant.
Sent up for Concurrence.

A Petition of *Thomas Knowlton*, and *Jeremiah Buckman* of *Ipswich*; presented to the House and Read, praying, That they may be set off from the Precinct called *Chebacco*, and annexed to the Precinct called the *Hamlet*, for reasons alledged in the Petition.
Committed.

An Engross'd Bill Intituled, *An Act in addition to An Act Intituled, An Act more Effectually providing for the Support of Ministers.*
Read and

Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill Intituled, *An Act for the Reviving of a Bill filed by Richard and Hephzibah Cooms, in His Majesty's Superiour Court of Judicature, &c. for their Right or Equity of Redemption, of a Mortgage made by Joseph Newel their Father, of his Farm & Land in Roxbury, in the County of Suffolk, to Florence Mccarty late of Boston Victualler, Deceased.* Read and Resolved, That the Bill do pass to be Enacted.

Half an Hour past 3 P. M.

A Bill Intituled, *An Act in addition to an act Intituled, An Act for the Settlement and Distribution of the Estates of Intestate.* Pass'd to be Engross'd at the Board. Sent down for Concurrence. Read a first time.

It being the time of Year, that Pirates may be Expected on this Coast, And there being advice that a Vessel has been lately seen on the Coast, that is supposed to be a Pirate.

Ordered, That a Message be sent up to the Board by Maj. *Savage*, Mr. *Lindall*, and Col. *Somersby*, requesting his Excellency the Governour, that the Guardship, may be sent forth as expeditiously as may be.

Who return'd, That his Excellency said he had heard four reports of Pirates on the Coast, which upon inquiry he finds to be all friends, yet that His Majesty's Ship the *Squirrel* is fitting as fast as may be to go Eastward to the Gut of *Canso* to cover and protect the *Fishery*. [20]

A Bill Intituled, *An Act in addition to the Act for Encouraging the Raising of Hemp within this Province.* Read a 3d time and pass'd to be Engross'd. Sent up for Concurrence.

A Bill Intituled, *An Act in addition to the Act for preventing Abuses to Indians.* Read a 3 time, and pass'd to be Engross'd. Sent up for Concurrence.

A Petition of *John Austin* of *Suffield* in behalf of himself and several others Inhabitants of the said Town; presented to the House and Read, praying the Court to make a further Explanation of their Votes respecting the Differences in the said Town, whereof there is a different Construction, made in the said Town, and great Contention thereupon.

Ordered, That Capt. *Fullam*, Mr. *Crossman* and Mr. *Hitchcock*, be a Committee to whom the said Petition is Committed.

A Bill Intituled, *An Act for the Preservation & Increase of Sheep, and further to Discourage the Keeping of Dogs:* Pass'd at the Board to be Engross'd, and sent down for Concurrence. Read a first time.

A Bill Intituled, *An Act to enable Samuel Fish of Falmouth in the County of Barnstable, to file reasons of appeal a-new, and prosecute his appeal to the Superiour Court of Judicature, Court of Assize, and General Goal Delivery next to be holden, at Plymouth, for the Counties of Plymouth, Barnstable, &c. In a cause between*

the said Samuel Fish, Appellant, and our Sovereign Lord the King Appellee; pass'd at the Board to be Engross'd. Sent down for Concurrence. Read a first time.

A Bill Intituled, *An Act for the better Enabling and Direction of Jacob Seeknout the Indian Sachem of Chabaqueduck, and his Heirs to the bringing forward any Action & Actions, as well for the Title of the said Island, as for any Rents, Trespases, or any other matter relating to said Island.* Pass'd at the Board to be Engross'd. Sent down for Concurrence. Read a first time.

A Petition of *Cyprian Whipple*, praying as entred the 21th of *June* last, Read and

Ordered, That the said Petition be Committed to the Committee to whom the Petition of *John Austin* is referred.

A Bill Intituled, *An Act for the Regulation and Limitting Credit in Trade, and for the Preventing the double payment of Debts:* Pass'd at the Board to be Engross'd. Sent down for Concurrence. Read a first time.

Adam Winthrop, and *Paul Dudley Esqrs;* brought down from the Board the Bill for the better Inquiry into the Rateable Estate of the Province, with a Message, *viz.* That the Board having read the Vote of the House referring to the Valuation Bill, are of opinion, That it has not been usual in the preceedings of the General Assembly when the Board have Non-Concurr'd with the House on any Bill, for the House to send it up with a Desire that the Board would Concur with the House thereon.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Generis 20. Die Junii, 1718, A. M.

A Petition of *Nathaniel Henchman* of *Boston*, Merchant; presented to the House and Read, praying, That the Sum of Fourteen Hundred Pounds, which was lent him out of the Publick Treasury, in *Decemb. 1711.* and was by him Disbursed in paying off Transports, that had been taken up here, and imployed in Her Majesty's Service in the Expedition designed against *Canada*, (and had Bills of Exchange for the same drawn upon the Lord High Treasurer of *Great Britain*, but no part of the said Bills yet paid) may be lent to him for one Year more.

Resolved, That the prayer of the Petition be Granted.

Sent up for Concurrence.

A Petition of *John Austin* praying as entered Yesterday, further considered, and the Report of the Committee to whom it was referred, offered thereon.

A Petition of *John Kent Jun.* of *Suffield*, Presented to the House and Read, Praying, That the said Town may be notified and heard before any Vote is passed, touching the Lands in controversy in the said Town.

The Report last mentioned Read again and accepted by the House, and accordingly,

Ordered, That the Resolve of General Court made at their Session in *Novemb. 1717.* relating to the Determination of the special Sessions held at *Suffield Jan. 10. 1715.* be construed in confirmation, of every part of said Sessions Determination and Explanation thereof, as reported to the General Court *October 27th 1717.* by the Justices of the said Sessions. Sent up for Concurrence. [21]

Col. *Hutchinson*, from the Committee appointed Yesterday to go to *Cambridge*, view and report the most Convenient place where to Erect an additional Building to *Harvard College*, reported their opinion, That the most convenient place is opposite to said *College* on the South side, beginning about Six Foot from the South West end of *Stoughton House*, and to extend Westward, which was accepted by the House.

Ordered, That an additional Building of Brick, be made to *Harvard College*, to begin about six Feet from the South West end of *Stoughton House*, and to extend in length Westward, Forty seven and half Feet, or thereabouts, not exceeding Fifty, of the same breadth with *Harvard College*, of a suitable heighth, not exceeding the heighth of said *Harvard College*, with three upright Stories, and a convenient Roof of a suitable Pitch. Sent up for Concurrence.

A Bill Intituled, *An Act for the further Regulation of Ferries.* Pass'd at the Board to be Engross'd. Sent down for Concurrence. Read a first time.

A Bill Intituled, *An Act in Addition to An Act Intituled, an Act for Granting unto His Majesty an Excise upon Wines, Liquor, and other Strong Drink Sold by Retail.* Read a 2d time.

A Bill Intituled, *An Act for Preservation and Increase of Sheep, and further to Discourage the keeping of Dogs.* Read a 2d time.

Half an Hour past 3 P. M.

A Bill Intituled, *An Act for the better Regulating the Culling of Fish.* Read a 3d time. And pass'd to be Engross'd. Sent up for Concurrence.

A Bill Intituled, *An Act in addition to the Act for Preventing Abuses to the Indians.* Sent down from the Board, Concurred, with some Amendments, which were read and agreed.

A Bill Intituled, *An Act for the better enabling and direction of Jacob Seeknout the Indian Sachem of Chabaqueduck, and his Heirs to the bringing forward any Action or Actions, as well for the Title of the said Island, as for any Rent, Trespasses or any other matters relating to the said Island.* Read a 2d time.

The Message of the Board entered Yesterday respecting the Bill, *For the better Inquiry into the Rateable Estate of this Province*, Read and considered and the words (and concurr with the House in passing left out of the Vote last pass'd thereon) the said Bill sent up again.

A Bill Intituled, *An Act in Addition to the Act Intituled, an Act to prevent Fraud in Cordwood exposed to Sale.* Read a 2d time.

A Bill Intituled, *An Act in addition to the Act Intituled, an Act for the Making and Emitting the Sum of One Hundred Thousand Pounds in Bills of Credit on this Province, &c.* Read a 2d and 3d time. And pass'd to be Engross'd.

Sent up for Concurrence.

A Bill Intituled, *An Act in Addition to an Act for Granting unto His Majesty an Excise upon Wines, Liquor, and other strong Drink sold by Retail.* Read a 3d time, and pass'd to be Engross'd. Sent up for Concurrence.

A Bill Intituled, *An Act in addition to and Explanation of an Act for Upholding and Regulating of Mills.* Read a 3d time, and Pass'd to be Engross'd.

Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 21. Die Junii, 1718. A. M.

A Bill Intituled, *An Act for the further Regulation of Ferries.* Read a 2d and 3d time, and Pass'd a Concurrence, That the Bill be Engross'd.

A Message Sent up to the Board by Mr. *Pierce*, Mr. *John Rogers*, Mr. *Turner* and Mr. *Stearns*, That the House desire to to be Informed whether the Board have pass'd on the last Vote of this House, relating to the Bill, *For the better inquiry into the Rateable Estate of this Province, &c.*

A Bill Intituled, *an Act to enable Thomas Harvey of Taunton in the County of Bristol, Yeoman, to bring forward, his appeal, at the Superiour Court next to be holden at Bristol from a Judgment of the Inferiour Court of Common Pleas held at Bristol the second Tuesday of April 1717. In a Plea of Trespass Originally Commenced by John Godfery and Joanna his Wife against James Paul.* Read a first time.

The Bill Intituled, *An Act for the better Inquiry into the Rateable Estate of this Province*, brought down from the Board by *John Clark*, *Addington Davenport* and *Thomas Fitch Esqrs*; [22] with a Message, That the Council have Reconsidered the said Bill and thereupon adhere to their former Vote, but propose for an Accommodation that a conference be had on the said Bill, either by both Houses, or Committees of each House.

Ordered, That a Message be sent up to the Board by Mr. *Remington*, Maj. *Denison* and Capt. *Fullam*, That this House is ready to do every thing proper for them, towards passing a Bill *For the better Inquiry into the rateable Estate of the Province*, and so to have a Conference for that end, but the Honourable Board not having signified what clause in the said Bill they object against or what Amendments they propose thereto, the House desire to be informed thereof, that they may be apprized of the subject matter of Conference before they attend it.

A Petition of *Richard Carr* and *James Carr*, both of *Salisbury*; praying as their

Petition entered the 18th Currant, presented to the House and Read, containing further Allegations to inforce their prayer.

Ordered, That the prayer of the Petition be Granted; and that the Petitioners have leave to bring in a Bill accordingly. Sent up for Concurrence.

A Bill Intituled, *An Act in addition and suppliment to, the act enabling Select-men to lay out Private High Ways, in each Town &c.* Read a first time.

An Engross'd Bill Intituled, *An Act in addition to the Act for Preventing abuses to the Indians.*

Read and

Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill Intituled, *An Act in addition to the act Intituled, an act for Encouraging the Raising of Hemp within this Province.* Read.

Resolved, That the Bill do pass to be Enacted.

A Bill Intituled, *An Act Prohibiting the Exportation of Gold, Money and Bullion.*

Read a 3d time, and pass'd to be Engross'd. Sent up for Concurrence.

The Petition of *Richard & James Carr*, passed on in this House this Day, sent down from the Board; And the Vote of this House thereon Concurr'd with an Amendment: which was Read and Agreed to by the House.

The Petition of *Penn Townsend, Thomas Palmer and William Hutchinson Esqrs*; Read the 18th Currant. Read again, and the Report of the Committee thereon, which was accepted by the House, and accordingly.

Resolved, That the Sum of One Hundred & five Pounds two Shillings and eight Pence, be paid to the Petitioners out of the Publick Treasury, to Enable them to Discharge their Bond: But, That in case there be hereafter any thing receiv'd from *William Haws*, the Office of Ordnance, or otherwise the same shall be paid in to the Treasury of this Province. Sent up for Concurrence.

And then the House Adjourn'd till Monday next, Three a Clock Afternoon.

VOTES of the House of Representatives.

Junæ 23. Die Junii 1718. P. M.

A Letter from Mr. Agent *Dummer*, dated the 25th of *March* last, Read, and sent up by Col. *Hutchinson*, and Capt. *Kent*.

An Engrost Bill Intituled, *An Act for the further Regulation of Ferries*.

Read and

Resolved, That the Bill do pass to be Enacted.

A Bill Intituled, *An Act in addition to, and Explanation of an Act, Intituled, An Act for Prohibiting the Exportation of raw Hides, upper Leather, and Tann'd Calveskins, from out of this Province*; pass'd to be Engrost at the Board, and sent down for Concurrence. Read a first time.

A Bill Intituled, *An Act in addition to an Act Intituled, An Act to prevent Fraud in Cordwood exposed to Sale*. Read a 3d time, and

The Question being put, Whether the Bill pass to be Engrost?

It pass'd in the Negative.

Adam Winthrop Esq; brought down from the Board, the Bill Intituled, *An Act for Prohibiting the Exportation of Gold, Money and Bullion*, Concurr'd with an Amendment: Which was Read.

A Bill Intituled, *An Act for Granting to His Majesty several Rates and Duties of Impost, and Tunnage of Shipping*. Read a first time.

Capt *Chambers* from the Committee appointed to Examine the Accompts of the Trustees, for Letting out the l. 50000 Loan of Credit, Bills, Reported, That they had attended and gone through that Service, and find them right cast, and well avouch'd.

Resolved, That the said Accompts be accepted and approved: And that the Trustees the Accomptants be Discharged accordingly.

Sent up for Concurrence.

The Accompt of the Committee appointed the 19th of *Novemb.* last, to take care for the Effecting certain Repairs at Castle *William*, Sign'd *William Dummer*; presented to the House and Read,

Ordered, That Capt. *Chambers*, Mr. *Remington*, and Col. *Dudley* be a Committee to Examine the said Accompt, and make report.

A Bill Intituled, *An Act to Enable Thomas Harvey of Taunton in the County of Bristol, Yeoman, to bring forward his appeal at the Superiour Court next to be holden at Bristol, from a Judgment of the Inferior Court of Common Pleas held at Bristol the Second Tuesday of April, 1717. In a Plea of Trespass Originally Commenced by John Godfery & Joanna his Wife against James Paul*.

Read a 2 d and 3 d time, and pass'd to be Engrost.

Sent up for Concurrence.

A Petition of *Peter Thacher*, *Experience Mayhew*, and *Benjamin Hawse*, praying that their Accompt of charge amounting to *l. 21. 4s.* in going to *Nantucket*, pursuant to the order of this Court, to inquire into the matters of Grievance, complained of by *John Bunker* in his Petition, and the Indians of *Nantucket*.

Sent down from the Board, Read.

The particulars of the said Accompt read, and Committed.

A Petition of *Samuel Wakefield* of *Salem*, praying Relief in a case between him and *John Todd* of *Rowley*, Tryed at the Superiour Court of Judicature held at *Salem*, wherein he apprehends he is greatly wrong'd, and without remedy in the Law. Sent down from the Board, having been read there.

Ordered, That *Mr. Lindall*, *Mr. Turner*, and *Capt. Cawley* be a Committee to whom the said Petition is referr'd to consider the subject matter, and Allegations thereof, and make report to the House.

And then the House Adjourn'd till to Morrow Morning, Eight a Clock.

Martis, 24. Die Junii. 1718. A. M.

A Copy of the Vote of this Court, pass'd in *Novemb. 1715.* upon the Petition of several Inhabitants of *Hatfield*. Sent down from the Board, pass'd on there, viz. In Council *June 20th 1718.*

Ordered, That the within Order be revived only putting in *John Pynchon jun. Esq;* in the room of *Col. John Pynchon*, and that *Maj. John Stoddard*, and *Mr.*

Mawdsley are added to the Committee, and that they make report as within at the next fall Sessions. Sent down for Concurrence.

Read & Concurr'd with an Amendment, leaving out the addition propos'd to the Committee. The Petition of *Cyprian Whipple*. Read again and the report of the Committee thereon, which was accepted by the House, and accordingly,

Ordered, That the Petition be Dismist, inasmuch as it appears, the Grants he pray's for have been satisfied.

A Petition of *Lewis Bane*, in behalf of *William Beel*, and ten others, that were Detach'd out of *Col. Wheelwrights* Regiment in *May* last, to go with others in quest of Pirates that then infested the Coast: Presented to the House and Read, praying that pay may be allowed them for 15 Days, they were in that Service. [24]

Resolved, That there be allowed out of the Publick Treasury Twenty five Shillings to each of the said Eleven Persons, in full for their Service, and paid to *Lewis Bane Esq;* to be delivered to them. Sent up for Concurrence.

A Bill Intituled, *An Act in addition to, an Explaniation of an Act Intituled, An Act for Prohibiting the Exportation of raw Hides, upper Leather, and Tann'd Calveskins out of this Province.* Read a 2 d and 3 d time, and pass'd a Concurrence.

A Bill Intituled, *An Act Granting unto His Majesty several Rates and Duties of Impost, and Tunnage of Shipping.* Read a 2 d time, and

Ordered, That Capt. Fullam, Maj. Stoddard, Capt. Cawley, Capt. Chambers, and Mr. Lindal be a Committee to whom the said Bill is referr'd.

A Bill Intituled, *An Act in addition to an Act Intituled, An Act for the Settlement & Distribution of the Estates of Intestates.* Read a 2d and third time.

And the Question being put, Whether the House Concur that the Bill be Engrost? It pass'd in the Negative.

Addington Devenport Esq; brought down the Bill Intituled, *An Act for the better Regulating the Culling of Fish.*

Concurr'd with Amendments, which were read, and agreed.

A Bill Intituled, *An Act to Enable Samuel Fish of Falmouth in the County of Barnstable, to file reasons of appeal a-new, and prosecute his appeal to the Superior Court of Judicature, Court of Assize, & General Goal Delivery next to be holden at Plymouth, for the Counties of Plymouth, Barnstable, &c, In a cause between the said Samuel Fish, Appellant, and our Sovereign Lord the King, Appellee; pass'd at the Board to be Engrost.* Read a 2 d & 3 d time.

And pass'd a Concurrence.

A Bill Intituled, *An Act for the Regulation and Limiting of Credit in Trade, and for preventing the double payment of Debts.*

Read a 3d time, and pass'd a Concurrence with an Amendment.

Sent up.

3. Post Meridiem.

A Petition of *Ebenezer Brooks, Thomas Willis, and John Whitmore*, by order and in behalf of the Town of *Medford*: praying, That a Tract of Land may be Granted to the said Town to be Improved for and towards the Maintenance of the Ministry there.

And the Question being put, Whether the prayer of the Petition be Granted?

It pass'd in the Negative.

A Petition of *Elisha Johnson of Sutton*, presented to the House & Read, praying, That he may be allowed to buy 200 Acres of Land of the *Indians of Assanamisco*. And he with his Heirs will be oblige to Build and perpetually maintain two good Cart Bridges over the two Branches of *Black-stones River* in *Assanamisco*, that will be very commodious for Travellers; or that a Committee may be appointed to view the Land and Places proposed for Bridges, and report the reasonableness of his request.

A Petition of *George Misco*, and sundry other *Indians of Assanamisco*, presented to the House and Read, manifesting their Consent & Desire that the said Petition may be granted.

Ordered, That Maj. *Thomas How*, *Josiah Chapin* Esq; and *Samuel Thaxter* Esq; be a Committee to go to the place, view & consider the reasonableness, and conveniency of the prayer of the said Petitioner *Johnson*, and make report to the House.

A Petition of *John Wadleigh* Representative of the Town of *Salisbury*; presented to the House & Read, Complaining of great molestation & injury suffered by some of the Inhabitants of said Town, from the Town of *Hampton*, levying and distraining Taxes from them. Praying Remedy. And that a Committee may be appointed to run the Bounds between the said Towns.

Ordered, That Col. *Somersby*, Maj *Denison*, and Mr. *Remington* be a Committee to whom the said Petition is referr'd.

A Bill Intituled, *An Act for Promoting and Encouraging the making good Iron & Iron Ware, within this Province*. Read a 3 d time, and refer'd to next Session for further consideration.

Ordered, That *Edward Hutchinson*, *William Dudley*, *John Stoddard* & *Charles Chambers* Esqrs; with such as the Honourable Board shall nominate be a Committee to consider and prepare a Draught of a Letter to Mr. Agent *Dummer*, in answer to his Letter, received this Session, and upon such other Heads, as they think needful at this time. Sent up for Concurrence.

The Report of the Committee of both Houses appointed to Examine the Books, and compare the Bills outstanding with the Fund laid to bring them in, brought down from the Board, and Read.

A Message sent up to the Board by Col. *Hutchinson*, Mr. *Lindal*, and Col. *Thaxter*, That this House desire to know what is done relating to the Bill for better Inquiry into the Rateable Estate of this Province.

A Message from the Board by *Addington Devenport*, and *Adam Winthrop* Esqrs; That the Governour desires to know what is done by the House upon the Petition of *John Usher* Esq; upon which a Committee made a report the last Session; and if nothing be done, Desires the House to proceed thereon.

And left the following Vote of the Board, viz. In Council *June 24th 1718*. Voted, That the Honourable *Nathaniel Byfield*, *Edward Bromfield*, and *Adam Winthrop* Esqrs; be a Com- [25] mittee to joyn with a Committee of the Honourable House of Representatives, who are to confer with the Reverend Mr. *Baxter* about his return to the Eastward as Missionary to the Indians.

Sent down for Concurrence. Read and

Ordered, That Mr. *Timothy Lindal*, Mr. *Toy*, Capt. *Wadsworth*, and Capt. *Chambers* be joyned in the affair.

The Petition of Maj. *Stephen Sewall*, praying as entred the 6th Currant, read again, and the Report of the Committee thereon; which was accepted by the House, and accordingly,

Ordered, That the Petition be Dismist.

The Petition of *Thomas Knowlton, & Jeremiah Buckman*, praying as entred the 19th Currant, further considered, and the Report of the Committee thereon: which was accepted by the House, and accordingly,

Ordered, That the prayer of the Petition be Granted.

Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 25. Die Junii 1718. A. M.

O*rdere*d, That a Message be sent up to the Board Proposing, That the Court proceed to the choice of a Treasurer, Attorney General and Impost Officer this Afternoon. Sent up by Maj *Savage* and Mr. *Lindall*.

A Petition of *Cyprian Southack* and 12 others Presented to the House and Read, Praying, That the Waste Lands between *Presumpscut* River and the West bounds of *Pejepscut*, may be Granted to them and Associates, to bring forward a Settlement thereon. And the Question being put, *Whether the Prayer of the Petition be Granted?* It pass'd in the Negative.

A Petition of *Thomas Snell* and 34 others, Dwellers at *Casco Bay*, Presented to the House and Read, Praying, That they may be set off from *Falmouth*, and that *Presumpscut* River be annex to *North-Yarmouth*.

An Engross'd Bill Intituled, *An Act to enable Thomas Harvey of Taunton in the County of Bristol Yeoman, to bring forward his Appeal at the Superiour Court next, to be holden at Bristol, from a Judgment of the Inferiour Court of Common Pleas held at Bristol the second Tuesday of April, 1717. In a Plea of Trespass Originally Commenced by John Godfery and Joanna his Wife against James Paul.*

Read and

Resolved, That the Bill do pass to be Enacted.

The Petition of *John Wadleigh*, Praying as entered Yesterday, further considered, and the Report of the Committee offered thereon. Which was accepted, and agreeable thereto,

Ordered, That Col. *Samuel Appleton*, Maj. *John Denison* and Col. *Henry Somersby*, with such as the Honourable Board shall appoint, be a Committee fully Impowred to Join with such as the Government of the Province of *New-Hampshire* shall Depute, to Run and settle the Divisional Line between this Province and that, and that His Excellency the Governour be desired to write to the Government of *New-Hampshire* to appoint and fully Impower a Committee for that purpose. That the unhappy Contests and differences which arise among the Inhabitants living near the said Line by reason of its not being settled to the Satisfaction of both Governments may determine and cease. The said Committee to make report to this Court. Sent up for Concurrence.

An Engross'd Bill Intituled, *An Act in Addition to An Act made in the second*

Year of His present Majesty's Reign, Intituled An Act for Granting to His Majesty an Excise upon Wines, Liquors and other strong Drink Sold by Retail. Read and Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill Intituled, *An Act for the Regulation and Limiting Credit in Trade and for the Preventing the double Payment of Debts.* Read and Resolved, That the Bill do pass to be Enacted.

An Engross'd Bill Intituled, *An Act in Addition to An Act Intituled, An Act for the Making and Emitting the Sum of l. 100000 in Bills of Credit on this Province, in such manner as in the said Act is expressed.* Read and

Resolved, That the Bill do pass to be Enacted.

The Petition of *Nathaniel Henchman* pass'd upon in this House the 20th Currant, Sent down from the Board, pass'd on there, In Council June 20th 1718. Read and Concurred so far that the Petitioner be allowed 12 Months to pay in the whole Sum due from him, Provided he pay one fourth part thereof, at the end of every three Months from this time, the Treasurer to Inspect the Security, and take care to have it renewed if he find it needful. Sent down for Concurrence

Read and Concurr'd.

A Petition of *Joseph Mallinson* Presented to the House and Read, Praying, That he may be Indulg'd with the Loan of l. 1000 or l. 1200 out of the Treasury, to enable him to Erect Slitting and Flatting Mills, and carry on Iron Works, and thereby greatly to serve the Publick. [26]

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

The Petition of *Samuel Wakefield* Praying as entred the 23d Currant further considered and the Report of the Committee thereon, which was not Accepted by the House.

A Memorial of *Josiah Willard*, Esq; Secretary of this His Majesty's Province, Presented to the House and Read, Praying, That he may be allowed his Fees in the lawful Money of this Province, or have such advance made him in the Bills of Credit, as will make it up. And be paid an Accompt presented of Posting up the Books for time before his Commission took place, but was not done before he took the Office. Committed.

A Memorial of *John Lighton*, *Lewis Bane*, *Joseph Hill*, *James Grant*, *John Wadleigh*, *Thomas Hoyt* and *John Sanders* Representatives, Presented to the House and Read, Complaining, That several Inhabitants of the Towns they Represent have been Imposed on, in the beginning of the last Winter, and made to believe that if they cut down Trees in the Woods belonging to their Townships, without Liberty first obtained from *John Bridger* Esq; or his Deputies, They should be made to pay severe Damages and so were Deterred from following their Lawful Employments. Praying the Court to Inquire into the Affair, and take such methods as may prevent such Inconveniencies for the future.

3. *Post Meridiem.*

The Petition of *John Colman*, pass'd on in this House the 14th Currant, Sent down from the Board pass'd on there *viz* In Council *June 24th 1718.*

Ordered, That *John Colman* the Petitioner together with *Elisha Cooke* Esq; be enabled to Sell the Real Estate of the said *William Hobby*, and whereof he died seized, for the Reasons mentioned in the Petition, and that the Right, Interest or Proportion of the said *William Hobby's* Estate; appertaining to the Heirs of Sir *Charles Hobby* Knt. Deceas'd (one of the Sons of the said *William Hobby*) be reserved in the hands of his Administrators for the payment of his just Debts, and Residue to be distributed according to Law, and that the Petitioner have leave to bring in a Bill accordingly.

Sent down for Concurrence.

Read and Non-concurr'd.

Upon a Motion being made,

Ordered. That Mr. *Danforth* have leave to withdraw his Petition relating to *Bradford's Claim.*

The Petition of *Timothy Holloway* Praying, as entered the 16th Currant, Sent down from the Board, pass'd on there *viz June 17th.*

Resolved, That the Petitioner be and is hereby enabled to bring forward his Writts of *Scire Facias* against *Nicholas Morey*, on those two Judgments mentioned and referred to in the Petition amounting (both of them) to Ten Pounds to shew cause why he the said *Morey*, should not satisfy the same, the Returns made by the late Sheriff of *Bristol* on the Executions Issued and Levyed by vertue of said Judgment notwithstanding.

Sent down for Concurrence.

Read and Concurr'd.

A Petition of *James Grant*, Representative of the Town of *Berwick*, Presented to the House and Read, Praying, That Col. *Henry Somersby*, Mr. *Henry Clark* and Mr. *Jonathan Wade*, a Committee formerly appointed, may be directed to Perambulate the line between the Towns of *Berwick* and *Wells*, and make report what they think to be most reasonable and equitable between them.

Ordered, That the Consideration of this Petition & the Proceedings of the Committee mentioned therein, be deferred till the Session of this Court the next Autum. Sent up for Concurrence.

Ordered, That Col. *Hutchinson*, Col. *Dudley*, and Mr. *Remington*, be a Committee to carry up the Votes of this House for the Civil Officers to be chosen this afternoon, and sort and number them with the Votes of the Board, and Report the Election that shall be made. The House Prepared their Votes for a Treasurer. Which were carryed up by the said Committee. And they Reported that Mr. *Jeremiah Allen*, was chosen Treasurer by a major part of the Voters.

The House having Prepared their Votes for an Impost Officer. They were carried up by the said Committee who Reported that the Honourable *Adam Win-*

throp Esq; was chosen by a major part of the Voters. And the said Committee carried up the Votes of the House for an Attorney General.

And Reported, That the Honourable *Paul Dudley* Esq; was chosen by a major part of the Voters.

Mr. Speaker sent up Capt. *Throop*, and Mr. *Freeman* to Inquire what is done relating to the Bill, for better Inquiry into the Ratable Estate of this Province. And upon the Vote of this House for *l. 5500.* only to be Levyed in the Tax this Year.

A Bill Intituled, *An Act for Granting unto His Majesty several Rates, and Duties of Impost and Tunnage of Shipping.* Read a 3d time, and pass'd to be Engrost.

Sent up for Concurrence.

John Cushing Esq; brought down the Vote of this House, pass'd the 12th Current, for *l. 5500* only to be Levyed this Session, with a Message, That they had not pass'd on the same, but the Court had appointed a Committee of both Houses to Examine the Funds of outstanding Bills of Credit, whose Report now lies before this House.

An Engrost Bill Intituled, *An Act for the better Regulating, the Culling of Fish.*

Read and

Resolved, That the Bill do pass to be Enacted.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Province of the Massachusetts-Bay

VOTES

Of the House of Representatives.

Jobis 26. Die Junii, 1718. A. M.

A Petition of *Thomas Prentice of Newtown*, Presented to the House and Read, Praying, That his Title to Lands in *Worcester* may be confirmed, notwithstanding he has not settled on the same, and shall not do it for a Year or two, he paying to the said Town Five Pounds *per* Year, as he has offered, and the said Town has accepted until he shall settle and improve his said Land.

A Message sent up to the Board by Capt. *Fullam*, Mr. *Porter*, Mr. *Pierce*, Capt. *Chapin*, Capt. *Osgood*, Capt. *Throop*, and Maj. *How*, That the House desire to know whether any thing further is done relating to the Bill *for the better Inquiry into the Rateable Estate of the Province*. And that the business of the Session may be so Expedited, as that the Court may Rise this Week.

A Bill Intituled, *An Act to Prevent Scarcity of Molasses by its being Distilled into Rum within this Province*. Read a first time and a second.

Ordered, That Mr. *Remington*, Mr. *Turner* and Mr. *Little* be a Committee to whom the said Bill is Committed.

The Petition of *Benjamin Hawse*, Praying as entered the 23d Currant further considered and the report of the Committee offered thereon and accepted by the House, *viz.* That the Petition be referred to the next Sessions of this Court, and that the Petitioners make Report of their doings.

The Bill Intituled, *An Act for the better Inquiry into the Rateable Estate of this Province*, brought down from the Board, with this Vote, *viz.* In Council *June*, 25th 1718. The Question being put whether this Board upon the Re-assuming the consideration of the Bill *for Inquiring into the Rateable Estate of this Province*, and with the Amendments made in the said Bill do concurr with the House that the Bill do pass? It was carried in the Negative.

Half an Hour past 3 P. M.

Ordered, That a Message be sent up to the Board that this House have for several Days since they sent up a Vote for that purpose, been expecting to receive from the Honourable Board their Objections against the Bill, *For better Inquiry into the Rateable Estate of this Province*, and the Amendments they propose to it, That a Conference might be had on the said Bill, as by a Message from the Board was proposed.

And still propose that the said method so suitable and customary in Parliament to Accommodate difference between the Houses may be attended.

Sent up for Concurrence.

A Bill Intituled, *An Act to enable Richard Carr and James Carr of Newbury to bring forward their Appeal at the Superiour Court next to be holden at Salem, within and for the County of Essex, from a Judgment of the Inferiour Court of Common Pleas, held at Newbury, for the County of Essex, on the last Tuesday in September, 1717. In an Action of Trespass, upon the case Commenced against Edward Sergeant of Newbury.* Pass'd at the Board to be Engrost.

Sent down for Concurrence. Read three times and Concurr'd.

A Message sent up to the Board by Capt. *Fullam*, Mr. *Turner* and Mr. *Tay*, to Inquire what is done upon the Impost Bill, and desire that the Committee of both Houses appointed to Answer Mr. Agent *Dummers* Letter, and to confer with Mr. *Baxter*, &c. may finish those Affairs that the Court may also finish this Week, if it may be.

A Message from the Board by Capt. *Norden*, That the Council had agreed to a Conference, agreeable to the Message of the House, and desire the House to come up forthwith for that end.

A Message sent up to the Board by Col. *Thaxter*, Mr. *Turner* and Col. *Dudley*, That the House think it proper and necessary that the Points which are to be the subject matter of the Conference should be first made known to the House, before they go up to attend it, otherwise it does not appear to the House but that the Honourable Board are against the body of the Bill.

Who return'd that it was said at the Board, That they were not against the Bill itself, and that if the House would come up, the Points to be conferred on should be opened to them. [28]

But the House did not think it proper to go up.

A Message sent up to the Board by Capt. *Chambers*, Capt. *Osgood* and Capt. *Foye*, That the House desire the Impost Bill may be forwarded as fast as conveniently may be. Who return'd that it had been once Read.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Generis 27. Die Junii, 1718, A. M.

THE Letter or Memorial of *Elisha Cooke*, Esq; which was pass'd on in this House the 14th of *Feb.* last, being sent for from the Board. Read, and sundry Evidences and other Papers relating thereto. Read.

Ordered, That *Jonathan Remington*, *Samuel Thaxter*, *William Dudley* *Edward Hutchinson*, and *Habijah Savage*, Esqrs; with such as the Hon. Board shall nominate be a Committee to whom the said Memorial and Papers relating thereto are referred, to sit in the recess of this Court, consider thereof, and receive any other Information that shall be brought to them relating to the said Affair, and make report what they think proper for this Court to do thereon, at their Session in Autumn next. Sent up for Concurrence.

A Petition of *Jonathan Belcher, Esq*; Presented to the House and Read, Praying the continuance of the Loan of *l. 1400* Bills of Publick Credit, which were lent to his late Hon. Father *Andrew Belcher, Esq*; and him, to assist them to furnish supplies for the late Expedition designed against *Canada*, in the Year 1711, in consideration that the Value of about *l. 5000* in their Goods was taken from them by the Authority of this Province at that time, and but *l. 2800* lent to them, &c.

Resolved, That the Prayer of the Petition be Granted.

Sent up for Concurrence.

The Bill Intituled, *An Act for Granting unto His Majesty severall Rates and Duties of Impost and Tunage of Shipping*. Sent down from the Board Concurr'd with an Amendment, which was Read and Agreed to.

A Message from the Board by *Samuel Patridge, Esq*; That the Bill, *For better Inquiry into the Rateable Estate of this Province* may be sent up.

Which was done accordingly.

A Message from the Board by *Nathaniel Byfield, Esq*; That His Excellency the Governour desires the House to take into their consideration that part of His Speech which relates to the preventing the Selling of strong Drink to the Indians, and left the Report of the Committee of both Houses that were appointed to treat with Mr. *Baxter*, which was Read, *viz.*

The Committee of both Houses appointed to confer with the Reverend Mr. *Baxter*, about his return to the Eastward as Missionary to the Indians, having attended that Service, do Report as follows, *viz.*

That the said Mr. *Baxter*, after having modestly Disabled himself as to his sence of his own Capacity, for so difficult a Service, did shew a willingness and readiness to undertake that work, if no more suitable person did present, provided he might have a Liberty from his Church at *Medfield*: And did further Recommend it to the Government as a very necessary thing for the more easy Preselyting the Indians, that the Sloops going Eastward be prevented selling Rum to the Indians. In behalf of the Committee, *Nathaniel Byfield*. In Council, *June 27th 1718*. Read and accepted.

Sent down for Concurrence. Read and Concurr'd.

A Letter from *Samuel Moody, Esq*; to his Excellency the Governour, Dated at *Casco Bay*, the 16th currant, Sent down from the Board (with the said Report) Read.

Importing that he is under no apprehension that the Indians design a Breach, or are at present in a Capacity for it, but that all the disorders which happen amongst them are occasioned by Strong Drink, that is sold to them by Coasters, which he desires may be prevented.

An Engrost Bill Intituled, *An Act to Enable Samuel Fish of Falmouth in the County of Barnstable, to file reasons of Appeal a new and prosecute his appeal to the Superiour Court of Judicature, Court of Assize, & General Goal Delivery next to*

be holden at Plymouth, for the Counties of Plymouth, Barnstable, &c. In a cause between the said Samuel Fish, Appellant, and our Sovereign Lord the King, Appellee. Read and

Resolved, That the said Bill do pass to be Enacted.

3. Post Meridiem.

An Engrost Bill Intituled, *An Act to enable Richard Carr and James Carr, of Newbury, to bring forward their Appeal, at the Superiour Court next to be holden at Salem, within and for the County of Essex, from a Judgment of the Inferiour Court of Common Pleas held at New- [29] bury, for the County of Essex, on the last Tuesday in September, 1717. In an Action of Trespass, upon the Case Commenced against Edward Sergeant, of Newbury.* Read and

Resolved, That the Bill do pass to be Enacted.

A Bill Intituled, *An Act, in Addition to (and Explanation of) An Act Intituled, An Act in Addition to an Act for upholding and Regulating of Mills.* Sent down from the Board, Concurr'd with Amendments, which were Read, but not Agreed.

Ordered, That Mr. Turner, Mr. Porter and Capt. Throop, be a Committee to consider that part of His Excellency the Governour's Speech, which relates to selling Strong Drink to the Indians, and Inspect the Laws already made for Regulating the Indians, and restraining them from Drunkenness, and report what they think proper to be further Enacted by this Court for that end.

A Petition of *John Wheelwright*, Presented to the House and Read, Praying Liberty may be granted to him to cut Timber up *Mousom River*, to Imploy his Saw-Mill, for such time as this Court shall see meet, in consideration of Services done for the Publick, and losses that he sustained in the late War with the Indians.

Ordered, That the said Petition be referred to the next Session for further consideration.

The Petition of *Mary Evans*, Praying as entered the 16th Currant, Sent down from the Board, pass'd on there, *viz.* In Council, *June 25th 1718.* Read and

Ordered, That the Petitioner have liberty to take up the Sum of One Hundred and Fifty Pounds (and to Mortgage the Estate mentioned in the Petition for the same) for the support of her self and Children, and that she have liberty to bring in a Bill accordingly. Sent down for Concurrence. Read and Concurr'd.

A Petition of *John Weeanug jun.* Indian Man of *Rochester*; praying leave to Sell a piece of Land, belonging to him, lying near Herring pond, for relief of himself and Family. Sent down from the Board, pass'd on there, *viz.* In Council, *June 20th. 1718.* In answer to this Petition, It is Ordered, That the Petitioner have liberty to Sell the said Lands, provided *Melatiah Bourn Esq;* and Mr. *Eldad Tupper*, undertake the same as Trustees of the Petitioner, who are desired to take care

that the said Lands, be Sold as much to the Petitioners advantage as may be, and to apply the Money for which the Lands may be Sold, to the Petitioners just Debts, and if there be any over-plus, that be applied to the Petitioners best advantage. Sent down for Concurrence. Read & Concurr'd.

A Petition of *John Campbell* Post-master; praying a proper Allowance may be made to him for Postage done for the Publick, and that he may have Assistance granted him in carrying on the Publick News Letter. Sent down from the Board, Read there. Read.

A Petition of *Samuel Partridge, Samuel Porter, and John Stoddard*, Committee for *Northfield*, presented to the House and Read; praying some Allowance out of the Publick Treasury toward the Maintenance of a Minister, or the Building of a Meeting-house for Divine Worship in the said Town.

In answer to the said Petition:

Resolved, That the Sum of Forty Pounds be Allowed and Paid out of the Publick Treasury to the said Committee, to be by them improv'd for and towards the Support of the Ministry in the said Town. Sent up for Concurrence.

The Bill Intituled, *An Act for the better Inquiry into the Rateable Estate of this Province*. Sent down from the Board Concurr'd with Amendments. Read.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 28. Die Junii, 1718. A. M.

CApt. *Chambers* from the Committee appointed to Audit the Accompt of the Committee appointed to Direct the Repairs of Castle *William*, Made report that they had performed that Service, and find the said Accompts right cast and well avouch'd: And that there remains due to Balance the said Accompts the Sum of *l. 57 4s. 3d.* Which report was accepted by the House, and accordingly

Resolved, That the said Accompt be accepted and approved, and that the Sum of Fifty-seven Pounds Four Shillings and Three Pence be allowed and paid out of the Publick Treasury to Ballance the same. Sent up for Concurrence.

The Amendments of the Board, sent down Yesterday on the Bill Intituled, *An Act for the better Inquiry into the Rateable Estate of the Province*.

Read and Agreed.

An Engrost Bill Intituled, *An Act for Granting to His Majesty several Rates and Duties of Impost and Tunnage of Shipping*. Read and

Resolved, That the said Bill do pass to be Enacted.

An Accompt of *l. 5 10s. 9d.* due to *Benjamin Swain*, for making a Well, at the Hospital at Spectacle Island, presented to the House for Allowance. [30]

Resolved, That the Sum of Five Pounds Ten Shillings and Nine Pence, be allowed and paid out of the Publick Treasury to *Benjamin Swain*, to discharge his said Accompt. Sent up for Concurrence.

Upon a Motion being made:

Ordered, That the Vote pass'd the 12th Currant for raising *l.* 5500 only in the Tax to be Levied this Session, &c. be Reconsidered

Voted, That Eight Thousand Two Hundred & Fifty Pounds only of the *l.* 22000 Granted in the Years 1712, & 1713, be Levied and Collected the present Year And that the Duties of Impost and Tunnage of Shipping, and Excise, together with the Income of the Bills lent out, and the Light-house, be a Fund and Security for the Drawing in the remaining *l.* 13750. Sent up for Concurrence

Whereas there is a new Commissioner Elected for receiving the Duties of Impost &c. for the Year ensuing:

Resolved, That the former Commissioner be Impowred and Enabled, to Collect & Gather in all the outstanding Debts of his time and be Allowed Three Months time fully to Issue and make up his Accompts with the Treasurer, or Receiver General for this Province. Sent up for Concurrence.

A Message from the Board by *Nathaniel Byfield, Samuel Brown, Thomas Fitch* and *Edmund Quincey* Esqrs; with the Vote of this House for *l.* 8250. only to be raised this Session; That the Board are of opinion that less than *l.* 11000 Tax, with the other Provision will not suffice to bring in the *l.* 22000 of Bills to be called in this Year; and mov'd the House to consider their said Vote, and Raise *l.* 11000 by Tax this Session.

Ordered That a Message be sent up to the Board with the Vote last mentioned, by *Col. Thaxter, Mr. Lindal, and Capt. Throop*: That the House can't see reason to alter their said Vote, and are desirous to have the Tax of this Year as low as may be, because it is so long since a Valuation of the Towns has been taken, that there is no certainty of Equality in the Proportioning the Towns to a Tax. And that if the Sum to be raised be agreed this Day, a Tax Bill may be preparing against this Court meets on Monday, and Expedite the Rising thereof.

Ordered, That it be an Instruction to *Col. Samuel Thaxter*, in laying out the Land called *Whitehall Farm*, To make the South East Corner of the Plat, a small black Oak Tree mark't, standing about Six Rods on the South side of a Stream there. And that he be Directed to Notifie the Trustees of *Mr. Hopkins* Legacy when he attends that Service, that they may be present, if they see cause.

Sent up for Concurrence.

Samuel Sewall, John Clark, Jonathan Belcher and *Paul Dudley* Esqrs; brought down the Vote of the House, for *l.* 8250 only to be Levied this Year Non-concurr'd, with the following Vote, *viz* In Council, *June 28. 1718.* Resolved, That this Board is ready to come into the Raising a Tax of *l.* 11000, as it has been for some Years last past, and the rather because, several of the Articles mentioned as Funds are like to be very deficient this Year.

And then the House Adjourn'd till Monday next, Three a Clock Afternoon.

Lunæ 30. Die Junii 1718. P. M.

THE Vote of this House for *l.* 8250 only to be Raised this Session. Read again and *Voted*, That the House Adhere to the said Vote. Sent up.

An Engrost Bill Intituled, *An Act for the better Inquiry into the Rateable Estate of this Province.* Read and

Resolved, That the Bill do pass to be Enacted.

A Message from the Board by *Jonathan Belcher* Esq; That the Council are of Opinion, It is not proper for them to act upon the Letter or Memorial of *Elisha Cooke* Esq; referring to Mr. *Bridger*: It not being Directed to this Court, but they are ready to joyn a Committee upon his Memorial directed to the whole Court offered at the Board this Session, if the House see meet. And left the said Letter and Memorial.

The Vote of this House pass'd the 28th Currant, for raising *l.* 8250 only this Session. Sent down from the Board, pass'd on there, *viz.* In Council, *June* 30th. 1718. *Resolved* that the Council Insist on their Vote above

A Resolve for supplying the Treasury with Six Thousand Pounds, and for making good Deficiencies in former Funds for bringing in of Bills of Credit.

Pass'd, and sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [31]

Martis, 1. Die Julii. 1718. A. M.

A Petition of *Samuel Richmond* and 18 others of the Town of *Middleborough*, presented to the House & Read; praying that the South End of the said Town may be set off, and constituted a distinct Township, according to Bounds and Limits agreed and consented to by the said Town.

Ordered, That *Samuel Thaxter*, and *Nathaniel Thomas* Esqrs; and Mr. *Thomas Turner*, be a Committee to go upon the Place, view, and consider the Situation, Number and Circumstances of the Petitioners, and report their Opinion, what is proper for this Court to do on their Petition, at the next Fall Session.

Sent up for Concurrence.

A Bill Intituled, *An Act to Enable Mary Evens Wife of Jonathan Evens, late of Boston now of Fyall, Merchant, to Mortgage a part of her Estate, in Housing and Land which appertain and belong unto her, in Right of her Father Robert Brousdon, late of said Boston, Merchant, Deceased.*

Read thrice, and pass'd to be Engross'd. Sent up for Concurrence.

The Vote of this House for Raising by Tax the Sum of *l.* 8250 only at this Session, Read again, and further pass'd on, as follows, *viz.* This House having by their Resolve pass'd Yesterday, made sufficient Provision to answer the Deficiency of former Funds.

Voted, That their above Vote be still insisted on. Sent up.

The Petition of *Thomas Smith, John Budd, and Rebecca Budd*, on which there was a Hearing this Session: Sent down from the Board, pass'd on there, *viz.* In Council, *June 30th, 1718.* Upon a Hearing had on this Petition. Voted, That the Petitioners be admitted to an equal Share with the other Proprietors, in the undivided Lands in *Sutton*. Provided, They conform to what the said Proprietors shall hereafter agree to act, for the benefit of the said Lands, in full of all Claims.

Sent down for Concurrence. Read and Concurr'd with an Amendment. Altering the Vote as follows, *viz.* That the Petitioners be admitted to an equal Share with the other Original Grantees to be made up to them out of the undivided Lands in *Sutton*. Provided, They pay their part, of the charge that has accrued in the laying out the Lands, and bringing forward a Township there, and that they conform, &c.

3 Post Meridiem.

A Petition of *John Billings of Dorchester*, presented to the House & Read; praying allowance towards the Support of *Thomas Onconconug* a blind Indian, that has Served a Souldier, in the late Wars against the Indians, under twelve several Commanders, and in the Service received a Hurt in one of his Eyes, which is supposed to have occasioned his Blindness The said Indian being now under his Care: or that he may be discharged from the Care of the said Indian.

Resolved, That the Sum of Six Pounds be allowed, & paid out of the Publick Treasury to *John Billings* the Petitioner, to be Improved according to his best Discretion, for the use & benefit of *Thomas Onconconug* the blind Indian mentioned in the Petition. Sent up for Concurrence.

The Petition of *John Higginson*, and 80 others, pass'd upon in this House the 6th of *June* last. Sent down from the Board, pass'd on there, *viz.* In Council, *June 10th. 1718.* Non-concurr'd, and

Voted, That the Consideration of the Settlement of the above said Lands, be referr'd to the Fall Sessions, and that in the mean time no Grant be made or taken up, of any of the said Lands. Sent down for Concurrence. Read & Concurr'd, and Capt. *John Shipley* and Mr. *John Farasworth* are appointed and impowred to Prosecute such Persons, as shall make strip, and Waste on the said Lands. Sent up for Concurrence.

The Memorial of *Elisha Cooke Esq;* further considered, and the following Vote pass'd on, That Directed to the whole Court, *viz.*

Ordered, That *Jonathan Remington, Samuel Thaxter, William Dudley, Edward Hutchinson, and Habijah Savage, Esqrs;* with such as the Honourable Board shall nominate, be a Committee to whom the said Memorial, and the Papers relating thereto are referred; to sit if it may be before this Court Rises, otherwise in the Recess of the Court, and receive any other Information that shall be brought to

them, relating to this affair, and make report what they think proper for this Court to do thereon. Sent up for Concurrence.

The Resolve of this House pass'd Yesterday for Supply of the Treasury, and making good of Deficiencies. Sent down from the Board, Concurr'd with an Amendment, which was sent down for Concurrence.

Read and Non-Concurr'd.

And the Vote of the House for Raising by a Tax this Session, the Sum of l. 8250 only, brought down from the Board, with the following Vote, *viz* In Council, July 1 1718. *Whereas it's evident to this Board, That the Sum of l. 8250. together with the other Provisions proposed will not draw in the l. 22000 granted to be Levied this Session, but that there will be wanting, between Two or Three Thousand Pounds, as seems to be implied even by the Resolve of the House Yesterday, to which their last Vote refers Now lest by not complying with our Promises (from time to time) the Grants of this Great & General Court become unstable, and not to be relyed on, which may prove of fatal Consequence to the Province. This Board cannot agree to a foreseen Deficiency, but are obliged still to insist on their Resolve of the 30th of June past. Yet are ready to joyn the House on Levying Eleven Thousand Pounds, as heretofore.*

And then the House Adjourn'd till Thursday next Nine a Clock in the Forenoon [32]

Jobis 3. Die Julii, 1718. A. M.

THe Board not agreeing with the House in the Resolve for answering the Deficiencies in the Funds, which was annex to the Resolve for supply of the Treasury.

Ordered, That the Resolve for supply of the Treasury be drawn out distinct: which was done, and is as follows, *viz*.

Resolved, That the Treasurer be and hereby is Directed, and Impowred to Issue forth and Emit of the Bills of Publick Credit received into the Treasury the Sum of Six Thousand Pounds for payment of the Publick Debts of the Province already Contracted, for the Defence and Support of the Government, and the necessary Protection and Preservation of the Inhabitants of this Province and for the Subsisting of Forts, and Garrisons, and Wages arising for their Service, for Payment of Grants, Salaries and Allowances, made or to be made by this Court, according to such Draughts as from time to time shall be made upon him by Warrant or Order of the Governour, or Commander in Chief, for the time being, by and with the Advice and Consent of the Council. And the said Bills shall pass out of the Treasury, at the value therein expressed, equivalent to Money, and shall be taken & Accepted, in all Publick Payments, at the Advance, and after the Rate, of *Five Pounds per Cent.* more. And as a Fund and Security, for the

same, There be, and hereby is Granted to His Most Excellent Majesty, to the Ends, and Uses, as aforesaid, A Tax of Six Thousand Pounds, to be Levied on Polls and Estates both Real & Personal, within this Province according to such Rules, and in such Proportion upon the several Towns and Districts within the same, as shall be agreed on and Ordered, by the Great and General Court or Assembly of this Province, at their Session in *May Anno 1722.* and Paid into the Treasury on, or before the Last Day of *December* next after.

Sent up for Concurrence.

Resolved, That the Sum of Six Hundred Pounds, be Allowed and Paid out of the Publick Treasury to His Excellency SAMUEL SHUTE Esq; Capt. General & Governour in Chief of this His Majesty's Province, for his Support in Managing the Affairs of the Government. Sent up for Concurrence.

Resolved, That the Sum of Fifty Pounds be Allowed & Paid out of the Publick Treasury to the Honourable *William Dummer* Esq; Lieut. Governour, in consideration of his Readiness at all times to Serve this Province.

Sent up for Concurrence.

A Message sent up to the Board by Col. *Thaxter*, Mr. *Remington*, Mr. *Lindal*, Col. *Somersby*, and Mr. *Freeman*, Moving that the Affairs still depending before this Court may be Expedited, that it may end as soon as may be.

A Message from the Board by *Thomas Fitch* Esq; to inquire, Whether any thing is further done to prevent Selling strong Drink to the Indians, and to prevent Fraud in Tar, Pitch, and Turpentine. And that the answer of Mr. Agent *Dummers* Letter be hastened.

A Message sent up to the Board by Col. *Thaxter*, and Capt. *Osgood*, That this House above a Week since Choose Members to joyn with such as the Board should appoint, to prepare and answer to the Agents Letter: and that the Chairman of the Committee being at the Board, the House Expected he should have called out the Committee to that Service some Days since.

Resolved, That the Sum of Three Hundred & Fifty Pounds, be Allowed and Paid out of the Publick Treasury, to the Honourable the Judges of the Superiour Court of Judicature, in Proportion to the Courts they attended the Year past.

Sent up for Concurrence.

3. ~~Post Meridiem.~~

Resolved, That the Sum of Thirty Pounds be added to the allowance of the Reverend Mr. *John Leverett* President of *Harvard* College, for the Year Currant, beginning in *January* last, and paid to him out of the Publick Treasury.

Sent up for Concurrence.

Resolved, That the Sum of Two Hundred and Fifty Pounds be allowed and paid out of the Publick Treasury to Mr. *Jeremiah Allen* Treasurer of this Province,

for his Service the Year past, his trouble being extraordinary in changing the Bills of Credit, and taking care for a supply of the Garrisons, &c.

Sent up for Concurrence.

Resolved, That the Sum of Twenty Pounds be allowed and paid out of the Publick Treasury to Mr. *John White* Clerk of this House in part for his Service the Year Currant. Sent up for Concurrence.

Resolved, That the Sum of Twenty seven Pounds ten Shillings be allowed and paid out of the Publick Treasury to Mr. *John Flagg* Doorkeeper to his Excellency the Governour and this Court, for his Service half a Year ending the 26th Day of last Month. Sent up for Concurrence.

The Vote of this House pass'd the 28th of last Month for raising but *l.* 8250 only by Tax this Session. Read again. and

Ordered, That a Message be sent up to the Honourable Board, That this House continues of the opinion that *l.* 8250 Tax with the other provision made is sufficient to draw in the *l.* 22000 of Bills engaged to be done this Year.

And they are not willing to raise more than is absolutely necessary by a Tax, until a better Inquiry is made into the Rateable Estate of the Province, that the Taxes may be [33] laid with more Equality and Justice. And therefore still adhere to their Vote for raising the said Sum of *l.* 8250 by Tax this Year.

Sent up for Concurrence.

An Engrost Bill Intituled, *An Act to enable Mary Evans Wife of Jonathan Evans, late of Boston, now of Fyall Merchant, to Mortgage a part of her Estate in Housing and Land which appertain and belong unto her, in Right of her Father Robert Brousdon, late of said Boston, Merchant Deceas'd.* Read and *Resolved*, That the Bill do pass to be Enacted.

The Petition of *Philip English* pass'd upon in this House the 7th of *February* last. Sent down from the Board pass'd on there *viz.* In Council *July* 3d 1718.

Ordered, That the Committee on this Petition be continued, and that they make Report to this Court at their Session in Autumn next.

Sent down for Concurrence. Read and Concurr'd.

The Committee appointed to consider that Paragraph of His Excellency's Speech which relates to the Selling strong Drink to the Indians, made their report, which was accepted by the House, and accordingly, A Message sent up to the Board purporting, That the House are of opinion the Laws already made do well provide against the said Evil, especially an Act made in the Sixth Year of King *William* and Queen *Mary*, and that the putting of the Laws in Execution is what is principally wanting.

And whereas by the aforesaid Act the Governour with the Council is Impow'ered to Commissionate discreet Persons in every part of the Province for the ends aforesaid. The House Request His Excellency the Governour that meet Persons be appointed according to said Act in the Eastern and new settled parts of the

Province, who may especially be enabled to take due care for Preventing abuses to the Indians by Strong Drink, and Inspect all Trading Vessels coming into those parts with Strong Drink, &c.

The Vote of this House pass'd this Day relating to the raising of £ 8250 only this Session, Sent down from the Board, pass'd upon as follows, *viz.* In Council July 3d 1718 Read and Concurr'd. *Provided*, That what shall be found wanting to compleat the Sum of Twenty two Thousand Pounds, now proposed to be drawn in, be Levyed over and above the Sum already engaged, to be raised in the Year next ensuing. Sent down for Concurrence. Read and Concurr'd.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Ueneris 4. Die Julii, 1718. A. M.

THe Petition of *John Leverett* and *Elisha Cooke*, Esqs; Praying as entered the 14th of last Month. Read again and

Ordered, That the said Petition be referred to the next Session for further consideration.

The Petition of *Gurdon Saltonstall*, Esq; Praying as entered the 30th of *October* 1717. Read and *Ordered*, That the said Petition be referred to the next Session for further consideration.

A Petition of *Nathaniel Brewer* in behalf of the Proprietors of the Town of *Sutton*, Praying, That a Committee may be appointed to run and settle the Bounds, between the said Town and the four Miles square, reserved to the Indians adjoining thereto. Sent down from the Board, pass'd on there *viz* In Council, *June* 7th 1718. Read and

Ordered, That Maj. *Chandler*, Capt. *Chapin*, jun. and Mr. *Rider* be Impowered to run the Line and settle the said Bounds between *Sutton* and the Indian Lands at the Charge of the Petitioners, and make report to this Court at their next Session. Sent down for Concurrence. Read and Concurr'd.

The Memorial of Mr. Secretary *Willard* further considered, and the Report of the Committee thereon. Which was accepted by the House. and accordingly,

Ordered, That the said Memorial be referred to the next Session for further consideration. And *Resolved*, That the Sum of Sixteen Pounds and two Shillings be allowed and paid out of the Publick Treasury to Mr. Secretary *Willard* to discharge his Accompt. Sent up for Concurrence.

A Petition of *John Frizel* only surviving Executor of the last Will and Testament of *James Thornberry* late of *Boston*, Deceased, Praying, That he may be enabled to make Sale of part of the Deceased's real Estate to pay his Debts, an Entail thereof notwithstanding. Brought down from the Board, pass'd on there, *viz.* In Council *June* 26 1718.

Ordered, That the Petitioner with Mr. *John Ruck* of *Boston* Merchant, be al-

lowed and impowred to make Sale of so much of the real Estate of the said *James Thornberry* Deceas'd, as may be sufficient to pay his just Debts, and which are to be Examined and allowed of by the Judge of Probate for the County of *Suffolk*.

Sent down for Concurrence. Read and Concurr'd.

Resolved, That a Sum not exceeding Fifteen Hundred Pounds be at this time allowed and paid out of the Publick Treasury, towards Erecting an Additional Building to *Harvard* College. And that *Jonathan Remington*, *Charles Chambers*, Esqrs; and Mr. *Andrew Bordman*, be a Committee to take care for the carrying on and effecting the said Building. Sent up for Concurrence. [34]

The following Vote sent down from the Board *viz.* In Council July 4th 1718.

Ordered, That *Samuel Sewall*, *Edward Bromfield*, *John Clark*, *Thomas Hutchinson* and *Adam Winthrop*, Esqrs; be a Committee to treat with the Reverend Mr. *Baxter* about his return to the Eastward as a Missionary in order to Instruct the Indians, and to forward his going, and that there be the same allowance made to him for his Service another Year as formerly. Sent down for Concurrence. Read and Concurr'd with an Amendment, *viz.* instead of the Words [the same allowance made] Sum of *l.* 150 allowed to him. And that Mr. *Baxter* be desired to continue his Endeavours to Teach the Indian Children to Read, as well as improve all opportunities to instruct the grown People in the things of Religion.

A Petition of *Peter Smith*, *John Smith*, *Anne Williams* and *Alice Smith*, Children and Heirs of *John Smith* late of *Boston* Blacksmith Deceas'd, by *Wigglesworth Sweetser* their Attorney, Presented to the House and Read, Praying, That the Committee for settling a new Town Eastward of *Worcester*, may be directed to make them a just allowance of Land for their late Fathers Right, which he Purchased there of *John Wampas* Indian. And the Question being put, *Whether the Prayer of the Petition be Granted?* It pass'd in the Negative.

A Bill Intituled, *An Act for Apportioning and Assessing a Tax of Eight Thousand Two Hundred and Fifty Pounds upon Polls and Estates*. Read twice and pass'd to be Engrost. Sent up for Concurrence.

Whereas this Court at their Session in October Anno 1714. did Grant a Tax of Ten Thousand Pounds to be Levied on Pols and Estates, at their Session in May 1720. Three Thousand Pounds thereof to be paid in, to the Treasury on or before the last Day of December next after, and the remaining Seven Thousand Pounds on or before the last Day of December 1721.

For the more convenient Collecting and paying in of the said Seven Thousand Pounds.

Resolved, That the said Seven Thousand Pounds, shall be Paid into the Treasury on or before the last Day of *December*, Anno 1720. And whereas by Examination of the Books and comparing the Sum of the Bills of Credit outstanding, with the Sum of the Taxes Granted and outstanding, as Funds and Security to repay and bring the same again into the Treasury, it is found that the said Bills exceed the

said Taxes the Sum of Thirteen Thousand Two Hundred & Fifty Pounds, which has happened by a Dependence for some Years late past, that the Impost, Excise and other Funds, would have brought in greater Sums than they actually did.

For the making good such Deficiency, and as a Fund, and Security, for the Repayment and Calling in of the said Bills.

Resolved, That there be and hereby is Granted to His most Excellent Majesty to the Ends, & Uses as aforesaid, A Tax of Thirteen Thousand Two Hundred and Fifty Pounds to be Levyed on Polls and Estates, both Real and Personal within this Province, according to such Rules and in such Proportions upon the several Towns and Districts within the same, as shall be Agreed on, and Ordered by the Great and General Court or Assembly of this Province, at their Session in *May* 1721. and Paid into the Treasury on or before the last Day of *December* next after.

Sent up for Concurrence.

A Draught of a Letter to Mr. Agent *Dummer* prepared by the Committee for that end, Sent down from the Board, pass'd on there, *viz.* In Council *July* 4th 1718. Read and accepted. Sent down for Concurrence. Read and Concurr'd with Amendments. Sent up.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 5. Die Julii, 1718 A. M.

O*rdred*, That the Representatives of the Towns of *Boston*, *Charlestown*, and *Roxbury*, with such as the Honourable Board shall appoint, be a Committee at any time (between this Session and the Session of this Court the next Autumn) when the Treasurer shall have Two Thousand Pounds or more of Bills in the Treasury, that are defac'd and unfit for use, at his application to them, to Take an Account of the Number of each of the Sorts of the said Bills, and the Sum the whole Amounts to, and give the Treasurer Receipt for them, and Burn the said Bills to Ashes, and make Report of their Doings to this Court as often as there shall be Opportunity, whose Receipt shall be a Discharge to the Treasurer equal to what the said Bills, would have been, if they had continued in his hands.

Sent up for Concurrence.

An Engross'd Bill Intituled, *An Act for Apportioning and Assessing a Tax of* 1. 8250 *upon Polls and Estates.* Read and

Resolved, That the Bill do pass to be Enacted.

A fair Draught of the Letter to Mr. Agent *Dummer.* Read and

Ordered, To be Signed by Mr. Speaker in the Name of the House. Sent up.

A Message from the Board by *Jonathan Belcher* Esq; That a Counterfeit Bill Made upon a false Plate in imitation of the old 40s. Bill, had been lately discovered, and this Day brought into the Council, which they thought proper to acquaint this House with: and left the said Bill.

60 Journal of the House of Representatives

Ordered, That a Message be sent up to the Board, Desiring His Excellency the Governour to Issue out a Proclamation, that shall be sent to each Town of the Province, Directing and Requiring that all the Bills Sign'd by Three hands only be forthwith brought in to the Treasurer to be Exchanged, Pursuant to the Act made for that purpose.

A Message from the Board by *Jonathan Douse* Esq; That His Excellency Directs this House to attend him on the Council Chamber. Mr. Speaker and the House went up accordingly.

And His Excellency was pleased to *Prorogue* the Court to the 27th Day of *August* next, at Ten of the Clock in the Forenoon.

B O S T O N : Printed & Sold by B. Green. 1718. [35]

JOURNAL

Of the HOUSE of Representatives.

At a Great and General Court or Assembly of His Majesty's Province of the ~~Massachusetts Bay~~ in ~~New-England~~, begun and held at ~~Boston~~, upon Wednesday the 28th Day of ~~May~~, Anno Domini, 1718. and continued by Prorogations to Wednesday the 29th Day of ~~October~~ next after, and then Met.

MR. Speaker sent a Message to His Excellency the Governour by Col. *Hutchinson*, Maj. *Savage*, Capt. *Chambers*, and Capt. *Tilestone*, That a *Quorum* of the House are Met, ready to attend the Business of the Session.

A Message from the Honourable Board by *Penn Townsend* Esq; That His Excellency Directs this House now to attend him in the Council Chamber.

Mr. Speaker and the House went up accordingly, and His Excellency made a Speech to the Court, whereof Mr. Speaker obtain'd a Copy, and with the House return'd to their own Chamber.

His Excellency's Speech Read, and is as follows, *viz.*

GENTLEMEN,

IF you can at this Session offer any thing, That may be for the advantage of this Province, I shall gladly Concur in it.

I am of Opinion, That since the Bills of Credit are the only Money that passes amongst us, It will be very necessary in our present Circumstances to make it for the future Felony of Death to Counterfeit the same, which is according to the laudable Custom of all well regulated Governments.

I must inform you, That since our last Meeting the Indians by the Instigation of their Jesuits have been very Insolent, and Killed our Cattle, contrary to the Treaty made at Arrowsick; and also that I have received a very Sawcy Letter from one of their Priests, which I shall order to be laid before you.

These Ill Treatments, as also the Indians Surly Carriage towards the English obliged me by the Advice of the Council, to send a Detachment to the Eastward, to Inspect into their Proceedings, and am Informed, That it hath been of great Service, and broke the Indians measures for this Fall.

Gentlemen,

I hope some effectual Methods will be taken to prevent our being Insulted for the future, so that His Majesty's Subjects may not be obliged to leave their Houses and Settlements, to their utter Ruin and Destruction.

I have nothing more to recommend to you, but that when the Upper and Lower House are divided in their Sentiments that a Conference be immediately appointed, that so we may not spend our time in unnecessary and tedious Debates, but may proceed with that Decency and Regularity as becomes a Great and General Assembly.

Mr. Tupper, and Mr. Mulford who were absent the last Session, made their appearance, and their Excuse for their Absence.

Ordered, That their Excuse be accepted. [36]

3. Post Meridiem.

Ordered, That Charles Chambers, Edward Hutchinson Esqrs; Mr. John Pain, and Jonathan Remington Esq; with such as the Honourable Board shall appoint be a Committee to whom that Paragraph in His Excellency the Governours Speech relating to the Councerteiting the Bills of Publick Credit on this Province is referred, to prepare and lay before the Court their report thereon: And further to propose what they think proper now to be done relating to the said Bills.

Sent up for Concurrence.

The Petition of Thomas Oakes, and Josiah Oakes, Agents for the Proprietors and Inhabitants of that part of the Town of Eastham, called Billingsgate; praying as entred the 10th of June last, Read again

A Petition of Thomas Church Esq; in behalf of the Heirs of Capt. John Allin, late of Charlestown, deceased, presented to the House and Read, Praying that 1000 Acres of Land may be laid out to the said Heirs, (in two Places if they shall choose it) pursuant to a Grant of the General Court to said Allin, Anno 1668.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Tobis 30. Die Octobris 1718. A. M.

A Petition of Edward Sergeant, Thomas Hale, and 91 others, presented to the House and Read, Praying, That a Tract of Land adjoining to the Westerly side of Grotton, may be Granted to them to Settle a Town there.

A Petition of Peleg Wiswall, Isaac Little, and 26 others, presented to the House & Read, praying, That the Tract of Land aforementioned, may be Granted to them, for a Township.

A Petition of Samuel Clark of Ipswich, who was wounded formerly in the Service, against the Indian Enemy, whereby he is Disabled from Labour to support himself; presented to the House and Read, praying Relief.

Resolved, That the Sum of Ten Pounds be allowed, and paid out of the Publick Treasury to *Samuel Clark* the Petitioner, for his Relief.

Sent up for Concurrence.

A Petition of *Hugh Pike* of *Newbury*, presented to the House and Read, praying Allowance out of the Publick Treasury towards his Support, he being Disabled from Labour, by Wounds received in the Service against the Indian Enemy.

In answer to the said Petition:

Resolved, That the Sum of Fifteen Pounds, be allowed and paid out of the Publick Treasury to *Hugh Pike* the Petitioner, for his relief.

Sent up for Concurrence.

A Bill Intituled, *An Act in addition to, and Explanation of an Act, Intituled, An Act for Prohibiting the Exportation of Raw Hides, Upper Leather, and Tann'd Calve Skins, from out of this Province*: Pass'd to be Engross'd at the Board.

Sent down for Concurrence. Read.

It being Represented to the House, That *Onna Thomas*, a poor helpless Widow, driven in from the Eastern Parts, in the late War, now residing at the Town of *Lynn*, who had an Allowance granted to her by this Court in *February* last, stands in need of further relief.

Resolved, That the Sum of Five Pounds be allowed and paid out of the Publick Treasury to Mr. Speaker *Burriel*, to be disposed of as he shall think most suitable, for her relief. Sent up for Concurrence.

3. Post Meridiem.

Whereas this House are Informed, That more Persons are Attending at the Treasury to have Bills of Publick Credit on this Province, Signed with three hands only chang'd for others, pursuant to an Act of this Court, than can be Serv'd before the time limited for that end is expired.

Ordered, That the Treasurer be Directed to Exchange such Bills, for the space of Four Days next after, the said time is expired, and no longer.

Sent up for Concurrence.

Thomas Hutchinson Esq; Brought down from the Board a Letter from a Jesuit, referr'd to in His Excellency the Governours Speech, Dated, *August* 17th. 1718. Signed *Sebastian Ralle*: which was Read. [37]

An Accompt Sign'd by the Honourable *William Dummer* Esq; in behalf of the Committee, for repairing Castle *William*, Shewing the Expence, and Laying out of l. 249. 8s. in that Service. Read, and

Ordered, That Maj. *Denison*, Col. *Hutchinson*, and Capt. *Chambers*, be a Committee, to Examin and Audit the said Accompts, and make report to the House.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Ueneris, 31. Die Octobris, 1718. A. M.

A Petition of *Henry Bridgham*, &c. Praying as entered the 16th of *Novemb.* last. Read again and Committed.

A Bill Intituled, *An Act in addition to, and Explanation of, an Act, Intituled, an Act for Prohibiting the Exportation of Raw-Hides, upper Leather and Tann'd Calve Skins from out of this Province.* Read 2d time.

A Memorial of the Hon. *William Dummer*, Esq; Commander of His Majesty's Castle *William*, moving that a Committee may be sent down to the said Castle, to view and report what repairs are further needful there, and shewing that the time for which the Garrison there were inlisted is near expired, and moving that the same encouragement may be granted to Men to Inlist again, as was near Four Years since. Sent down from the Board. Read there, and Recommended.

Resolved, That the like Encouragement be Granted for the Inlistment of a Garrison at Castle *William*, (when the time for which the last was Inlisted is Expired) as was granted for the last Inlistment, the number of Souldiers, and time for which they are Inlisted, to be the same as was then. And that *John Stoddard*, Esq; Capt. *Joseph Wadsworth*, Col. *Henry Somersby*, *John Foye*, Esq; and Mr. *John Payne*, with such as the Honourable Board shall Nominate, be a Committee to go to the said Castle, view the works there, and report what further repairs they think needful there. Sent up for Concurrence.

John Higginson, Esq; brought down the Vote of this House pass'd Yesterday, relating to the Change of Bills of Credit, and proposed an Amendment, *viz.* That they be exchanged until the Eleventh Day of *November* next ensuing, and no longer: Any Law to the contrary notwithstanding. Which was agreed.

The Petition of *Elisha Johnson*, Praying as entered the 24th of *June* last, Read, and the Report of the Committee to whom it was then committed. Read, and accepted. And accordingly,

Ordered, That the Prayer of the Petition be Granted, and that the Petitioner be allowed to purchase and enjoy the Lands mentioned in the Petition; he and his Successors from time to time performing the conditions and Proposals set forth in his Petition. Sent up for Concurrence.

The Petition of *Thomas Oakes* and *Josiah Oakes*, Agents for that part of *Eastham* called *Billingsgate*, which was Read the 29th Currant, Read again, and the Petitioners with *John Doane*, Esq; were admitted into the House to speak to their Petition, which they did and withdrew.

The Petitioners having since the last Session of this Court served the Town of *Eastham* with a Copy of their Petition, requesting their consent to the Prayer thereof, which the said Town did not think proper to Grant, but have impowered Mr. *John Pain* their Representative in their behalf to make answer to the said Petition.

Ordered, That a Hearing be had thereon before this Court on Tuesday next.
Sent up for Concurrence.

3. Post Meridiem.

A Petition of *Archibald Boyd* and *James M' Gregore*, in behalf of themselves and 26 others, Presented to the House and Read, Praying, That a Tract of Land suitable and sufficient for a Township may be Granted for them, and 40 other Families their Friends in Ireland, who are ready to Transport themselves to settle thereon. Committed.

A Petition of *Archelaus Adams*, *Joseph March* and 126 others, Presented to the House and Read, Praying, That a Tract of Land of Eight Miles square, lying Easterly and Notherly of *Rutland* may be Granted to them to settle a Town there.

A Petition of *Stephen Sewall*, Presented to the House and Read, Praying Consideration and Allowance for his Charge and Expences, while he had the Command of the Fort at *Salem*, in the late War, having never been allowed any Wages, which Expences were not less than Ten Pounds *per Annum*.

And the Question being put, *Whether any thing be Granted thereon?*

It pass'd in the Negative.

His Excellency the Governour's Speech Read again. [38]

Ordered, That *Habijah Savage*, *William Dudley*, *John Stoddard*, Esqrs; and Capt *John Cawley*, with such as the Honourable Board shall appoint, be a Committee to consider that part of his Excellency the Governour's Speech, which relates to the Security of the Frontiers, and make Report to the House what they think proper to be done for that end.

Sent up for Concurrence.

' And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 1. Die Novembris, 1718. A. M.

MR. *James Adams*, Representative of the Town of *Barrington*, who was absent the last Sessions, now made his appearance, and his Excuse for his absence.

Ordered, That his Excuse be accepted.

An Accompt Sign'd *William Payne* and *Samuel Thaxter*, of finishing the Publick Hospital, and a Fence there, amounting to Twenty Pounds and seven pence, Presented to the House for allowance and payment.

Resolved, That the Sum of Twenty Pounds and seven pence, be allowed and paid out of the Publick Treasury to the Accomptants to Discharge their Accompt. Sent up for Concurrence.

An Accompt of *Edward Hutchinson* of the Charge of Building an House at

George Town for the Entertainment of the Indians, amounting to Twenty-one Pounds, Sixteen Shillings and Nine pence, Presented to the House for payment.

Read and

Resolved, That the Sum of Twenty one Pounds, Sixteen Shillings and Nine pence be allowed and paid out of the Publick Treasury to *Edward Hutchinson*, Esq; to Discharge the said Accompt. Sent up for Concurrence.

The Petition of *John Leverett* and *Elisha Cooke*, Esqrs; which was referred to this Session the 4th of *July* last. Read again, And

Ordered, That the prayer of the Petition be so far Granted, That the Petitioners have leave by a Surveyor, and Chain Men under Oath, to lay out 500 Acres of Land, in a proper figure, in some free place, and present a Plat thereof, to this Court for confirmation, to fulfill the Grant made to Major General *John Leverett* in *May* 1671. If it has not been already done. Sent up for Concurrence.

A Petition of *Andrew Brown* and 12 others, Inhabitants of the Town of *Cape Porpus*, Presented to the House and Read. Praying assistance towards the maintenance of a Minister there.

A Bill Intituled, *An Act for the Promoting and Encouraging the making of good Iron and Iron Ware within this Province*. Read a first time.

And then the House Adjourn'd till Monday next, Three a Clock Afternoon.

VOTES of the House of Representatives.

June 3. Die Novembris, 1718 P. M.

A Petition of *Isaiah Tay* Jun. of *Boston* in behalf of himself and his Sister *Mercy Tay*, an Orphan, and Minor, Presented to the House and Read, praying, That he with his Uncle Mr. *Isaiah Tay*, may be Impowred to make Sale of a House and Land in *Boston*, which was his late Grandfather *Woodwards*, and by him Entail'd, for reasons set forth in the petition. Committed.

The Petition of *Elisha Johnson*, Pass'd upon here, the 31st of the last Month, Brought down from the Board Concurr'd with an Amendment added to the Vote of this House thereon viz. Provided, That *Samuel Sewall*, *John Chandler*, and *Josiah Chapin* Esqrs; be a Committee to take care that the *Indians* have Justice done them, in the said purchase, and that the Purchase Money, be Deposited in the hands of the said Committee, for the use of the said *Indians*.

Sent down for Concurrence. Read and Concurr'd.

The Petition of *John Leveret*, and *Elisha Cooke*, Esqrs; pass'd upon in this House, the first Currant, sent down from the Board, Concurr'd with an Amendment, viz. after the words [free place] inserting the words [Excepting such Lands as are Petition'd for, to this Court, to be a Township,] which was agreed to by the House.

A Petition of *Hugh Hall* Jun. Presented to the House and Read, praying that the Duty of Four Pounds on a Negro Boy he lately Imported, may be abated; Inasmuch as the Boy Died in Ten Weeks after his Arrival here.

And the Question being put, *Whether the prayer of the Petition be Granted?*

It pass'd in the Negative.

A Petition of *Thomas Hastings* of *Hatfield* Surgeon, presented to the House and Read, praying Allowance for his Father and his, curing of sundry persons wounded by the *Indian* Enemy in the late War, that were not in the Service, and that he may be allowed Subsistance Money, for the time his Father and he had Warrant & were Employed as Surgeons to the Troops in Pay, as he hear's other Surgeons then were. Committed.

A Petition of *John Campbell*, praying, as entred the 27th of *June* last, Read again:

And the Question being put, *Whether any thing be granted thereon?*

It pass'd in the Negative.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Partis 4. Die Novembris 1718. A. M.

THE Report of the Committee sent to Castle *William*, to view the works there and Report what is needful to be done for their repair. Sent down from the Board last Night. Read, and accepted. And

Ordered, That the several Repairs and works proposed therein, be proceeded in, as soon as the Season will permit, and in the meantime provision be made for it. And that Capt. *Joseph Wadsworth*, *Samuel Thaxter* and *John Foye*, Esqrs; with such as the Honourable Board shall appoint, be a Committee to take care to have the same effected, in the best manner they can, and lay the Accompt thereof before this Court. Sent up for Concurrence.

A Plat of 500 Acres of Land laid out by a Surveyor, and Chainmen under Oath, on the South-East Side of *Chabauaguncomug* Pond, pursuant to an order of this Court the 19th of last *November*, for the use of the Free School in *Roxbury*, Presented to the House for Confirmation.

Resolved, That the Lands contained and delineated in the said Plat, be Granted and Confirmed to, and for the use and benefit of the Free School in *Roxbury* forever, to fulfill and satisfy the Grant of the General Court made *Anno* 1660, for that use. Provided it Intrench upon no former Grant, and this has not been before taken up. Sent up for Concurrence.

The Petition of *Henry Bridgham*, &c. Committed the 31st of last Month, further considered, and the Report of the Committee offered thereon, which was accepted. And accordingly,

Ordered, That the Petition be Dismist, inasmuch as the Purchase of the Lands, of the Indians, mentioned in the Petition, doth not appear to be made with the leave of the General Court, although diverse Years after the Law was made requiring it should be so.

The Accompts of the Committee for Repairing of Castle *William*, which were committed the 30th of *Octob.* last, further considered, and the Report of the Committee thereon offered, *viz.* That they had Examined the said Accompts, and find them right cast and well avoucht, except Ten Shillings, for which they find no Receipt, but doubt not it was paid. [40]

Resolved, That the said Accompts be accepted and allowed, and that the Sum of Five Pounds Six Shillings and a Penny, remaining in the hands of the Committee, be given to Capt. *Zechariah Tuthill* for his extraordinary Service in assisting and forwarding the Repairs of the said Castle.

Sent up for Concurrence.

3. Post Meridiem.

A Petition of *John Wells*, *Thomas Hastings*, and *Nathaniel Colman*, Select-Men of the Town of *Hatfield*, Presented to the House and Read, Praying, That Order may be given by this Court, for the running the Divisional Line between the said Town and the Town of *North Hampton*, according to this Courts Grants, which the said Town of *North-Hampton* will not be perswaded to do.

Ordered, That the Petitioners serve the Town of *North-Hampton* with a Copy

of this their Petition, that they may be heard thereon, before this Court on the 2d Wednesday of the next *May* Session, if they have any thing to object why the Prayer thereof should not be Granted. Sent up for Concurrence.

A Message from the Board by *John Higginson* Esq; That the House now come up to attend the hearing appointed this Day upon the Petition of *Thomas & Josiah Oakes* Agents for *Billingsgate*.

Mr. Speaker and the House went up accordingly.

And when the Parties were fully heard, they return'd again to their own Chamber.

A Petition of *Samuel Turrel, Jonathan Williams & Thomas Selby*, in behalf of themselves and others the Retailers and Innholders in *Boston*, Presented to the House and Read, Praying this Court to make Provision that the Gauging of Wine, Rhum, and other Cask for which they pay Excise, may be done truly and justly, wherein at present they suffer great wrong.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii, 5. Die Novembris, 1718. A. M.

A Petition of *Joseph Buckminster* in behalf of the Town of *Framingham*, Presented to the House and Read, Praying, That they may be enabled to file new Reasons of Appeal to the Court of Assize and General Goal Delivery to be holden in *January* next, in, and for the County of *Middlesex*, in a cause between them and the Select-Men of the Town of *Weston*, their Reasons of Appeal filed in the said cause to the said Court, held in *July* last at *Cambridge*, being Quashed, being said to be to the Court to be held at *Charlstown*, and should have been *Cambridge*.

Ordered, That the Prayer of the Petition be Granted, and that the Petitioner have leave to bring in a Bill accordingly. Sent up for Concurrence.

Whereas the Divisional Line and Boundaries between this Province, and the Province of New-York, have never been Run, marked out, and stated, and new Plantations are Issuing forth in that Government as well as this.

To the Intent that there may be no Trespassing from, or on either Government:

Ordered, That *Samuel Thaxter, John Stoddard & William Dudley*, Esqrs; be a Committee to join with such as the Government of *New-York* shall appoint, to Run & Settle the Divisional Line & Boundaries between the said Provinces, pursuant to their respective legal Grants.

And His Excellency the Governour is requested to write to the Government of *New-York*, to Impower and send Commissioners as aforesaid, to proceed in, and perform the said Service, as soon as conveniently may be.

Sent up for Concurrence.

An Accompt of *John Clarke, Adam Winthrop, Elisha Cooke, Oliver Noyes*, and

Samuel Thaxter Esqrs; Commissioners for the Letting out of the *Quota* of *l.* 100000, in Bills of Publick Credit, belonging to the County of *Suffolk* and *Nantucket*, Dated *Novemb.* 3d. 1718. Shewing their proceedings in that Trust to that Time. Read.

A Message sent up to the Board by Capt. *Wadsworth* and Capt. *Shipley*, to Inquire what has been done towards Setling the Dividing Line between this Province, & the Province of *New-Hampshire*, since the last Session.

A Message from the Board by *Thomas Hutchinson*, Esq; That His Excellency the Governour had written to that Government upon that Affair, but had received no Answer from them as yet.

An Accompt of *James Halkerston* of Medicines, advice and attendance to Serjeant *Daniel Tucker*, under cure of a Gunshot wound, in the Trunk of his Body, received from the Indians in the late War, from *June 10th 1717.* to *Sept. 10th 1718.* amounting to the Sum of 32 *l.* 10 *s.* Read, & committed to the Committee for Petitions.

3. Post Meridiem.

It being Represented to this House that but one person in the County of *Hampshire*, has Taken out a License this Year as a Retailer, or Innholder, and yet Strong Drink is Sold there as usually.

Ordered, That the Commissioner for the Excise in the said County, be strictly Charged & Required carefully & vigilantly, to Detect & Prosecute all such as Sell Strong Drink without License there, and to Impower suitable Persons under him, to Detect & Prosecute such Offenders in those Towns where he has not opportunity, that the Law may not be Eluded. Sent up for Concurrence.

The Petition of *Thomas Hastings*, Praying as entered the 3d Currant further considered, and the Report of the Committee offered thereon, *viz.* That the Petition be Dismist, which was accepted by the House.

The Petition of *Joseph Buckminster* Esq; pass'd upon in this House, this Day: Sent down from the Board. The Vote thereon being Concurr'd with an Amendment, *viz.* The Judgment already given for Costs not to be Reversed, to be inserted next after the word Granted. Sent down for Concurrence.

Read & Concurr'd.

A Bill Intituled, *An Act for Reviving and further Continuing of an Act Intituled, An Act to prevent the unnecessary Journeying of Representatives, Made in the Second Year of the Reign of King GEORGE.* Read twice, and pass'd to be Engross'd. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

VOTES of the House of Representatives.

Novis 6 Die Novembris, 1718. A. M.

A Petition of *William Dudley Esq*; Clerk of the Proprietors of the Town of *Leicester*, presented to the House & Read, praying, That the Committee chosen by the said Proprietors, for the Settlement of the said Town, may be Authorized to Levy a Tax, according to their best Discretion & Judgment upon the Resident and Non-Resident, Proprietors of the said Town, in proportion to their Interests, for the Building a Meeting-House, support of a Minister, and other necessary Town charges. And that the Inhabitants may be Impowred to choose a Constable, as soon as they think fit to Collect, and Levy such Sums as shall be assessed.

A Petition of *Thomas Baker, Henry Gilbert*, and 28 others of the Town of *Brookfield*, presented to the House & Read, praying an Explication of the Order, pass'd by this Court the last Session on the Petition of *Thomas Ayers, Joseph Ayers, &c.*

A Bill, Intituled, *An Act in addition to an Act Intituled, An Act for the Settlement of the Bounds & Defreying the Publick & necessary Charges arising within each respective County, within this Province.* Read a first time.

A Bill Intituled, *An Act for preventing of Apprentices, & Servants, or any persons under Age being Transported out of the Province without consent of their Mastres, Parents or Guardians:* Pass'd at the Board to be Engross'd.

Sent down for Concurrence. Read.

3. Post Meridiem.

A Memorial of *Samuel Partridge Esq*; presented to the House & Read; Moving for payment of *l. 39. 10 s.* the charge of Curing *John Bell*, accidentally wounded with an Ax at the Town of *Northfield*, where he was Posted a Souldier in pay.

Committed.

A Petition of *Robert Ware* in the behalf of the Town of *Wrentham*, presented to the House and Read, praying, That a Surveyor may be Impowred & sent, to run the Line between the said Town & the Town of *Attleborough*, from the reputed Angle Tree Westward to *Nipmug River*, about 5 Miles, which the said Town of *Attleborough* will not join in doing.

The following Vote sent down from the Board, viz. In Council, Nov. 6. 1718.

Whereas in a private Act, pass'd the last Sessions of this Court, to Enable *Richard Carr*, and *James Carr*, to bring forward their Appeal, &c. through an Error in drawing up the said Bill the said *Richard & James Carr*, were named of *Newbury*, in stead of being named of *Salsbury*.

Ordered, That the Justices of the Superiour Court be Directed & Impowred, to allow the said Appeal to go on notwithstanding the said Error.

Sent down for Concurrence. Read and Concurr'd.

The Petition of *Thomas Oakes*, & *Josiah Oakes* Agents for *Billingsgate*, on which there was a Hearing the 4th Currant: Sent down from the Board, pass'd upon there, *viz.* In Council, *Nov.* 6. 1718. Upon a Hearing had on their Petition, before the whole Court on the 4th. Instant.

Ordered, That that part of *Eastham*, that is commonly called *Billingsgate* be made a Town, and called by the name of *Pool*; the Bounds to be from the Bound-Line of the Town of *Truroe* across the Neck from Sea to Sea extending South to a valley, called *Bridge-valley*, and so running as the Valley & Brook runs across the Neck, from the Back-side Sea, to the Mouth of the said Brook, and from the Mouth of said Brook, to the Point of *Billingsgate* Beach; That the Salt-Marsh that will fall (within the Line) to *Billingsgate* be not Taxed to said Place, till Improved by Owners living within the Line: That the Whaling & Oyster Fishing, be in common as formerly; and that the Petitioners have leave to bring in a Bill accordingly. Sent down for Concurrence. Read and Non-Concurr'd.

A Petition of *Jonathan Richardson*, *Jerahmeel Bowers*, & 58 others, presented to the House and Read, praying, That a Tract of Land lying between *Dunstable* & *Haverhill*, on the East side of *Merimake* River, may be Granted to them for a Township.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Ueneris 7. Die Novembris, 1718. A. M.

A Petition of *Joseph Ayres* and *Nathaniel Ayers* in behalf of themselves, and the other Heirs of *John Ayers* late of *Brookfield* Deceased, Praying an Explanation of the Order of this Court pass'd on their Petition the last Session.

Sent down from the Board, having been Read there.

Ordered, That the said Petition, and the Petition of *Brookfield* of the same Prayer, be sent up to the Board, to be there proceeded on first, the Vote which is desired to be explained, originating there.

A Bill Intituled, *An Act in addition to, and Explanation of, an Act Intituled, an Act for prohibiting the Exportation of Raw Hides, Upper Leather and Tann'd Calve Skins from out of this Province*, made in the Twelfth Year of King *William*. Read a 3d time, and pass'd a Concurrence, with Amendments.

An Accompt of *Benjamin Lynde*, *John Turner* and *Henry Somersby*, Commissioners for the Letting out the Quota of *l.* 100000 of Province Bills belonging to the County of *Essex*, Dated *Octob.* 28th 1718. shewing their Proceedings in that Trust. Read. [42]

Pursuant to the Act of this Court directing the same, The Lists of the Valuation of the Estate Real and Personal of the several Towns of the Province, were called for, and most of them Produc'd and laid before the House and diverse of them inspected.

Ordered, That Col. *Thaxter*, Col. *Dudley*, Maj *Denison*, Col. *Somersby*, Capt. *Fullam*, Mr. *Remington*, Mr. *Porter*, Mr. *Shurtliff*, Capt. *Gorham*, Capt. *Throop*, Capt. *Leighton* and Mr. *Mayhew*, be a Committee to Inspect and carefully Examin the Lists of Valuation of the several Towns, consider and compare one with another, and Report according to the bes. of their Judgments what proportional Sum each Town of the Province ought to be Assessed and Pay in a Tax of *l. 1000*.

And that the respective Representatives have access to them, to Inform and Represent the state and circumstances of their Towns, as there may be occasion.

3. *Post Meridiem.*

Ordered, That Maj. *Stoddard* be added to the Committee for Petitions.

A Petition of *Jabez Eaton* of *Plympton*, Presented to the House and Read praying, That he may be enabled to have a further Tryal of a Case, between him and *Thomas Shurtliff*, before the Superiour Court of Judicature to be holden at *Plymouth* in *April* next, wherein he is now shut up in the Law, or that a Committee may be sent to settle the Bounds of Land in controversy between them.

And the Question being put, *Whether the prayer of the Petition be Granted?*

It pass'd in the Negative.

An Accompt of *Charles Chambers*, *Jonathan Dowse* and *Jonathan Remington*, Commissioners for Letting out the Quota of the *l. 100000* of Province Bills, belonging to the County of *Middlesex*, Dated *Novemb. 6. 1718*. shewing their Proceedings in that Trust. Read.

The Petition of *Joseph Ayers* and *Nathaniel Ayers*, praying as entered this Day. Sent down from the Board pass'd on there, viz. In Council *Novemb. 7. 1718*. Read.

And the Question being put, *Whether it be the Intention of the Order of the Court, granting the Ayers's 1600 Acres of Land more or less, that the said Grant be in full of all Claims, even of their Paternal Right in the Town of Brookfield or not?*

It pass'd in the Affirmative. Sent down for Concurrence.

Read and Committed to the Committee for Petitions.

An Engrost Bill Intituled, *an Act for the further continuing an Act Intituled, an Act to prevent the unnecessary Journeying of Representatives.* Read and,

Resolved, That the Bill do pass to be Enacted.

A Bill Intituled, *An Act, for preventing of Apprentices and Servants, or any Persons under Age being Transported out of the Province, without the consent of their Masters, Parents or Guardians.* Read a 2d time.

Paul Dudley, Esq; brought down the following Vote of the Council viz. In Council, *Nov. 7. 1718*. Voted, That *Samuel Sewall*, *Addington Davenport* and *Samuel Brown*, Esqrs; be a Committee to confer with a Committee of the House of Representatives. upon the Petition of the Inhabitants of *Billingsgate*.

Sent down for Concurrence. Read and Concurr'd.

And *Habijah Savage*, *Charles Chambers*, Esqrs; Mr. *Isaiah Tay*, Mr. *Thomas Mulford* and Capt. *Seth Tayler*, are a Committee for the Affair aforesaid.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 8. Die Novembris 1718. A. M.

THE Vote of the Council on the Petition of *Joseph Ayres* and *Nathaniel Ayres*. Read and Non-Concurr'd. And the Report of the Committee thereon, Read and accepted. And accordingly,

Voted, That the Intention of this Court in confirming the several Grants of Land made to the Children and Posterity of *John Ayres*, formerly of *Brookfield* alias *Quabaog* Deceased, by Col. *Partridge*, &c. Committee for said *Brookfield*, to the several and respective Grantees, as named in the said Grants, their Heirs and Assigns, was that the said Grants should be in Full of all Claims and Demands whatsoever, even from their Paternal Right, and that those, and those only, who have or shall bring forward a Settlement on their respective Lotts within the space of Three Years next coming, from the 25th of *May* 1718. shall be Intituled to after Divisions of Land in said Town. Sent up for Concurrence.

A Petition of *Peletiah Whittemore* in behalf of himself and *Benjamin Gallop*, Administrator of the Estate of *Arthur Jeffries* Deceased, who were Commissaries in the Expedition from this Government to *Nova Scotia*, Anno 1709. under Command of Col. *John March*, Presented to the House and Read, praying consideration and allowance for Loss the said *Whittemore* and *Jeffries* sustained in the Execution of the said Office in the said Expedition. Committed.

The Report of the Committee of both Houses, for the Security of the Frontiers, Brought down from the Board by *William Tayler*, *Samuel Partridge*, and *Joseph Hammond* Esqrs; with a Message, That the said Affair being what will require the Grant of Money, The Board had sent it down for this House to proceed on first. The said Report Read.

The Report of the Committee of both Houses, continued the 3d of *July* last, on the Petition of *Philip English*. Sent down from the Board, pass'd on there, and is as follows, viz. In obedience to the Order within mentioned, having had several Meetings on the Affair at which the Petitioner, and sundry Evidences have given their Attendance, & were heard & Examined, and the Petition, & the Papers relating thereto with the Representation of the Damage & Loss being duly consider'd, the Committee are humbly of Opinion, It is reasonable upon the whole that the Petitioner be allowed & paid out of the Publick Treasury Two Hundred Pounds in full Satisfaction for what he may have sustained & suffered as set forth in his Petition, Account & Papers, which is humbly submitted by

Thomas Fiich

In Council, *Novemb. 8th. 1718.* per Order of the Committee.
Read & Accepted. Sent down for Concurrence.

The Accompts of the Commissioners for the several Counties of *Plymouth, Bristol & Barnstable* for the Letting out their respective *Quotas* of the *l.* 100000 of Bills of Publick Credit, laid before the House.

And then the House Adjourn'd till Monday next, Three a Clock Afternoon.

B O S T O N : Printed & Sold by B. Green. 1718. [43]

VOTES of the House of Representatives.

Junæ 10. Die Nobembris, 1718. P. M.

ORdered, That a Message be sent up to the Board by Mr. *Tay* and Capt. *Whipple*, moving that a Day of Publick Thanksgiving to Almighty God, may be appointed and celebrated in the several Towns of this Province, upon the various grounds and occasions thereof.

The Report of the Committee on the Petition of *Philip English*, entered the 8th Currant, Read again. And Voted a Concurrence with the Board thereon.

A Representation of *William Bowditch*, *William Pickering*, *Jacob Manning* and *Thomas Barton*, Select-Men and Assessors of the Town of *Salem*, Presented to the House and Read, shewing that it was the difficulty (and in their apprehension) Impracticableness of taking a List of the Personal Estate and Faculty of the said Town that occasioned their not complying with the Act of the Court in that respect, and not any wilful neglect.

A Petition of *Nathaniel Cary* of *Charlstown*, Presented to the House & Read, Praying that his Son in Law *Abraham Hill* of the said Town, may be appointed the Light-House Keeper for reasons therein rendered.

A Memorial of *Cyprian Southack*, *John Barns* and 88 others, Presented to the House & Read, Recommending, Mr. *John Hayes*, to be Keeper of the Light-House.

A Petition of *Rebecka Sturgis* of *Yarmouth*, Widow, Presented to the House & Read, praying, That she may be allowed, and paid the Sum of *l. 8 10 s.* for the same Sum in Bills of Credit on this Province, that were burnt in, and with her House the last Year.

Resolved, That the Sum of Eight Pounds and Ten Shillings, be allowed and paid out of the Publick Treasury, to *Rebecka Sturgis* the Petitioner, it appearing, to the Satisfaction of this House that Bills of Credit on this Province, of the same value, were actually burnt in her House. Sent up for Concurrence.

A Petition of *Nathan Wicket* and *Deborah* his Wife, Indians, Presented to the House & Read, praying, That they may have leave to sell a little Island containing about 20 Acres, lying in Monument Bay, belonging to them, to enable them to discharge their just Debts, and with the overplus to purchase Lands on the Main more convenient for them.

Mr. Treasurer *Allen* was admitted into the House, and exhibited an Accompt of the present state of the Treasury, and an Accompt of the Bills of Credit, Signed with three Hands only, that have been Emitted, and brought again into the Treasury. Which were Read.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 11. Die Nobembris 1718. A. M.

THE Accompts of *Nathaniel Thomas* and *John Watson*, two of the Commissioners for Letting out the Quota of the *l. 100000* of Bills of Publick Credit belonging to the County of *Plymouth*.

The Accompts of *Nathaniel Payne, Nathaniel Blagrove & John Rogers*, three of the Commissioners for Letting out the *Quota* of the *l. 100000* Bills of Publick Credit, belonging to the County of *Bristol*.

And the Accompts of *William Basset, John Otis, Joseph Lathrop, Peter Thacher* and *Ebenazar Lewis*, the Commissioners for Letting out the *Quota* of *l. 100000* Bills of Publick Credit belonging to the County of *Barnstable*. Were severally Read, shewing their proceedings in that Trust.

Ordered, That Mr. *Lindal*, Maj. *Savage* and Maj. *Stoddard*, with Mr. Treasurer *Allen* be a Committee, to whom the Accompts of the several Commissioners for the Letting out the *l. 100000* of Bills of Publick Credit are Referred. That they examin and cast the same, and Adjust the Articles of Charge and Expencc in them according to Law; and Report what they think proper to be done as to all or any of them.

Ordered, That *Edward Hutchinson, Charles Chambers*, Esqrs; Mr. *John Pain*, Capt. *Peter Osgood*, Maj. *Habijah Savage*, Capt. *Joseph Wadsworth* and *John Foye*, Esq; with such as the Honourable Board shall appoint, be a Committee, to Receive of the Treasurer such Bills of Publick Credit in his Custody as are torn, defaced and unserviceable, to number and take an exact Accompt of them, and their several Denominations, bundle up and Burn the same, and make Report to this Court. Sent up for Concurrence.

A Petition of *William Rowse* of *Charlstown*, Marriner, Presented to the House & Read, praying, That he may be made the Keeper of the Light-House, for reasons therein mentioned.

The Petition of *Nathan Wicket*, and *Deborah* his Wife, praying as entered Yesterday, Read again.

And the Question being put, *Whether the Prayer thereof be Granted?*

It pass'd in the Negative.

A Petition of *Benjamin Hawse*, in behalf of himself, *Peter Thacher* and *Experience Mayhew*, which the 26th of *June* last was referred to this Session. Read.

3. Post Meridiem.

A Report of *John Wheelwright, Abraham Prebble, John Leighton, Lewis Bane* and *Joseph Hill*, Committee for directing the Settlement of the Eastern Parts, setting forth the Bounds of the Town of *Falmouth* in *Casco Bay*, and how they have directed the Settlement of the Inhabitants there, and proposing that they may receive the powers and priviledges of a Town.

Ordered, That the said Report be accepted. And that the Bounds of the Town of *Falmouth* be continued, confirmed and ratified, as in the said Report is set forth; and that the Inhabitants of the said Town that now are, and hereafter shall be from time to time, be invested with the same Powers and Authorities to

act, manage, direct and order the Affairs of the said Township as other Towns are. *Provided*, That this Order shall in no measure prejudice or infringe any just Right or Title, that any Persons have to Lands there. And that Fifty Families more (at the least) than now are, be admitted as soon as may be, and settled in the most compact and defensible manner the Land will allow of.

Sent up for Concurrence. [44]

The Petition of *William Dudley* Clerk to the Proprietors of the Town of *Leicester*, praying as entered the 6th Currant, Read again. And in Answer to the said Petition:

Ordered, That *William Dudley*, Esq; Maj. *Joshua Lamb*, Mr. *Samuel Banister*, *Nathaniel Kenny* and *Samuel Green*, the present Committee for *Leicester*, be Assessors for the Levying a Tax of One Hundred and Twenty Pounds on the Inhabitants of the said Town, for and towards the defraying the Charge of Building a Meeting House, and the Support and Maintenance of a Minister, in, and for said Town; to be Raised and Levied after the proportion following, viz. 13 s. on the Poll, and 35 s. on each Forty Acre Lot, and other Lotts in that proportion, the said Assessors first being sworn according to Law. And that the Inhabitants as soon as may be, assemble and choose two Constables, or Collectors, to collect the said Money, and pay the same into the hands of the Committee, or whom they shall appoint, to receive the same, to be laid out for the uses above mentioned, and Accompt thereof to be rendered to the Inhabitants. The Constables or Collectors, to be sworn also as the Law directs. Sent up for Concurrence.

An Accompt of the Expences of the Committee on Mr. *Philip English's* Affair, amounting to 1 l. 12 s. 2 d. laid before the House for allowance.

Resolved, That the Sum of Thirty-two Shillings and Two Pence be Allowed and paid out of the Publick Treasury, to the Honourable *Thomas Fitch* Esq; Chairman of the said Committee, to Discharge the said Accompt.

Sent up for Concurrence.

A Petition of *John Peirce*, & *Eliizer Flegg* in behalf of the Town of *Woburn*, presented to the House and Read, praying, That they may be heard before this Court, in order to be eas'd of the great charge, they are compelled to pay towards the Maintaining, the great Bridge in *Medford*.

The Petition of *Thomas Church* Esq; in behalf of the Heirs of *John Allin* of *Charlestown*, deceased, praying as entered the 29th of *October* last.

Read again, and Committed.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 12. Die Novembris, 1718. A. M.

A Petition of *Patience White* of *Dorchester*, Widow Relict, and Sole Administratrix of the Estate of *Edward White* late of said Town, deceased, presented to the House & Read, praying that she may be Enabled to Sell so much of unim-

proved Outland that were her late Husbands, as may pay One Hundred & Twenty Pounds, Debts, although the Stock and all the Personal Estate of the Deceased be not Disposed of. Committed.

The Report of the Committee, for Securing the Frontiers. Read again.

The Petition of *John Wheelwright* Esq; praying as entred the 27th June 1718. and then Referred to this Session. Read again, and,

The Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

A Message sent up, to the Board to inquire, Whether any thing is done upon the Petition of *John Higginson* Esq; and others, for the Grant of a Township between *Grotton*, and *Lancaster*.

A Petition of *Samuel Partridge* and *Samuel Porter*, Committee for *Swampfield*, presented to the House & Read, praying, That more Land may be added to the said Town.

That 250 Acres of Land reserved to the Province in the said Town may be Granted to the said Town for the use of a School.

That they may be exempted from Province Taxes for Five Years.

That their Town Rates, be raised on Polls and Lands only.

That they be made a Township, and the Committee be releas'd, they being 40 Families.

Ordered, That the prayer of the said Petition be so far Granted, That the Inhabitants be Invested with the same Powers, Priviledges and Authorities, to Order, Direct and Manage, all the Affairs of the said Township, that other Towns are, or ought to be; and that the Committee be Dismist from their care of them; That the Name of the Town be henceforward called *Daventry*, and lye to the County of *Hampshire*. Sent up for Concurrence.

A Petition of *Samuel Partridge*, *Samuel Porter*, and *Luke Hitchcock*, the Committee for *Brookfield*, presented to the House & Read, praying that they may be Dismist from the Direction of the said Plantation, and that the Inhabitants may be vested with the Powers of a Town, being now risen to the Number of 50 Families.

Ordered, That the prayer of the Petition be Granted. And that the Inhabitants of the said Town of *Brookfield*, be Invested with all the Powers, Priviledges, and Authorities, to Direct, Order and Manage all the Affairs of the said Township that other Towns are, or ought to be, and that the Committee be Dismist from their Care of them. The said Town to lye to the County of *Hampshire*.

Sent up for Concurrence.

3. *Post Meridiem.*

The Vote of this House on the Petition of the Committee for *Swampfield*: Sent down from the Board, Concurr'd with Amendments, viz. The Words [Invested

with] to be Inserted after the words [ought to be] The name to be *Sunderland*, in the room of *Daventry*; and the words [with the Thanks of the Court for their good and faithful Service] to be Inserted after the words [care of them] Which were agreed to by the House.

The Vote of this House on the Petition of the Committee for *Brookfield*: Sent down from the Board, Concurr'd with Amendments, *viz.* The Words [Invested with] to be Inserted after the words [ought to be] and the words [with the Thanks of the Court for their good & faithful Service] to be inserted after the words [care of them] which were agreed to by the House.

The Petition of *Isaiah Tay Jun.* which was committed the 3d Currant: Read again, and the Report of the Committee thereon, *viz.* That the Petition be Dis-mist; which was accepted by the House.

A Bill Intituled, *An Act for the Preventing of Apprentices, and Servants, or any Persons under Age, being Transported out of the Province, without the Consent of their Masters, Parents, or Guardians.* Read a 3d time, and pass'd a Concurrence with Amendments.

A Petition of *Humphry Scammon, Nathaniel Weare, & 16 others* belonging to *Saco*, praying Assistance towards the Maintenance of the Ministry there, as has been Granted the Two Years last past, and that they may be Constituted a Town: Sent down from the Board, having been Read there. Read & Committed.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

VOTES

Of the House of Representatives.

Novis 13. Die Novembris, 1718. A. M.

Ordere*d*, That *Edward Hutchinson* Esq; and *Capt. Jos. Wadsworth*, be a Committee in the Recess of this Court, to Inspect and Examine the Accompts of the Commissioners of Impost, and make Report to this Court, at their Session in *May* next. Sent up for Concurrence.

A Petition of *Stephen Jaques*, and *Joseph Ilsley*, presented to the House and Read, praying, That they may have leave to lay out 400 Acres of Land half of the 800 Acres of Land formerly granted by the General Court to *Mr. Cotton*, and they have now the Right to, in the Eastern parts: And the Question being put, *Whether the prayer of the Petition be granted?* It pass'd in the Negative.

A Bill Intituled, *An Act to enable Joseph Buckminster, Benjamin Bridges, and Jonathan Eaton, in behalf of the Town of Framingham, to bring forward an Appeal, which failed through a Defect in reasons of Appeal filed by the said Jos. Buckminster, Benj. Bridges and Jonathan Eaton, in behalf of the said Town.*

Read twice, and pass'd to be Engross'd. Sent up for Concurrence.

A Petition of *Sarah Shepherd* of *Charlestown*, Widow, presented to the House & Read, praying, That she may be enabled to Sell a House and Land that was her late Husbands *Francis Shepherds*, about 40 l. in value, for her Maintenance, she being an Ancient person, unable to walk without help; which two of her Children, and all that are in the Province subscribe their Consent to.

And the Question being put, *Whether the prayer of the Petition be Granted?*

It pass'd in the Negative.

The Honourable Lieut. Governour *Dummer*, *William Tayler*, *Samuel Setwall*, *Nathaniel Byfield*, and *Jonathan Belcher* Esqrs; and the Reverend Mr. *Benjamin Wadsworth*, and Mr. *Benjamin Colman* were Admitted into the House and presented a Memorial of the Overseers of *Harvard College* in *Cambridge*, and withdrew.

The said Memorial Signed by *Henry Flynt*, Clerk of the said Overseers. Read, Moving the Court to Extend the additional Building to be Erected to said *Harvard College*, to the length of 100 feet, the Buildings already there, and that last ordered to be made when finish'd not being sufficient to Entertain the Students belonging to that Society.

The Vote of this House pass'd this day appointing a Committee to Examine the Accompts of the Commissioners of Impost, sent down from the Board, pass'd on there a Concurrence. And *Jonathan Belcher* Esq; is added to the Committee of the House on the Affair above. Sent down for Concurrence,

Read and Concurr'd.

3. Post Meridiem.

The Report of *Samuel Thaxter*, & *Nathaniel Thomas*, Esqrs; to whom with Mr. *Thomas Turner*, the Petition of *Samuel Richmond* and 18 others of the Town of *Middleborough*, was referred the first of *July* last, laid before the House and Read, Shewing their Opinion that the Petitioners and the Lands mentioned in their Petition are not sufficient for a Town or a Precinct, and offering a Plat containing the said Lands, with an addition of a further part of the said Town of *Middleborough*, and an adjoining part of the Town of *Taunton*, as a Tract competent and convenient for a Township.

A Petition of *Joseph Vaughan*, and *Jacob Tomson*, Select-men of the Town of *Middleborough*, Presented to the House and Read, praying, That the said Report may not be accepted, for reasons therein alledg'd.

Ordered, That *Samuel Richmond* and the other Petitioners with him serve the Town of *Taunton*, and the Town of *Middleborough* with a Copy of the said Report, and the Plat exhibited therewith, That they may be heard before this Court, on the 2d Tuesday of the Session of this Court, in *May* next; If they have any thing to object why the Report may not be accepted, and the proposal therein made for a Township put in Execution. Sent up for Concurrence. [46]

The Memorial of Mr. Secretary *Willard*, praying as entred the 25th of *June* last, read again

A Petition of *Gershom Woodel* Representative of the Town of *Tiverton*, presented to the House and Read, praying, That the present and future Taxes of the said Town may be abated for reasons therein set forth.

Paul Dudley Esq; brought down from the Board the Petition of *John Higginson* Esq; and others for a Township to be Granted between the Towns of *Lancaster* and *Grotton*, for the House to proceed on first.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Generis 14. Die Novembris 1718. A. M.

THE Memorial of *Samuel Partridge* Esq; Moving as Entred the 6th Currant further considered, And the Report of the Committee offered thereon, viz. That the Memorial be dismiss: which was accepted by the House.

The Petition of *Humphry Scammon*, *Nathaniel Wear*, and 16 others of *Saco*, further considered, and the Report of the Committee thereon, which was accepted by the House, and accordingly,

Resolved, That the Sum of Forty Pounds be allowed and paid out of the Publick Treasury toward the support of a Minister at *Winter Harbour* for this Year: And that the Petitioners be Invested with the Powers, &c. of a Town according to the Ancient Bounds thereof. Sent up for Concurrence.

A Petition of *Adam Cogswell* of *Ipswich*, Farmer, presented to the House and Read, shewing, That he is a Prisoner for Debt, in His Majesty's Goal at *Ipswich*, which is so open and cold, and without conveniency for fire, that his Health is Indangered, praying, That he may be removed to the Goal in *Salem*, in the same County, or be confined in the Goalers House in *Ipswich*, upon good and sufficient Security given to the Sheriff that he will remain a true Prisoner there.

In Answer to the said Petition:

Ordered, That the Sheriff be directed and he is hereby Authorized and Impowred to Allow the Petitioner to be in Custody under Execution in the Goalers House upon his giving good and sufficient Security to the value of 500 *l.* for his remaining a true Prisoner there until the said Goal is repaired, and rendered safe for the Prisoners Health, or he be legally set at Liberty. And it is further Directed and Ordered, That the said Goal be forthwith repaired, and put in a condition, suitable to entertain Prisoners, and that then the Petitioner be Remanded thereinto, unless he shall in the mean time be lawfully set at Liberty: Any Law, Usage, or Custom to the contrary notwithstanding.

Sent up for Concurrence.

A Report Signed by *Penn Townsend*, &c. the Committee appointed this Session to receive of the Treasurer and Burn Unserviceable Bills of Credit, presented to the House and Read, shewing, That they had received of the Treasurer and burnt *l.* 13136 00 4 *d.* in Bills at their express'd value *l.* 11747 7 *s.* 9 *d.* part of the said Sum received for Taxes, Impost and Excise, which with the 5 *per Cent.* advance, as they were received into the Treasury amounts to the Sum of *l.* 12334 15 *s.* 1 *d.* and the Sum of *l.* 1388. 12 *s.* 7 *d.* Neet Bills received of the Trustees for Letting out the *l.* 50000 Loan of Bills of Publick Credit, making in the whole the Sum of *l.* 13723 7 *s.* 8 *d.*

Resolved, That the said Report be accepted and that the Treasurer be Discharged accordingly. Sent up for Concurrence.

A Report Sign'd by *Penn Townsend* &c. the Committee, appointed this Session to receive of the Treasurer, and Burn unserviceable Bills of Credit, &c. Presented to the House and Read, shewing that they had received of the Treasurer the Sum of 167061. 10 *s.* in Bills of Publick Credit, at their neet value (being part of the *Canada* Loan Money) and Burnt them to Ashes.

Resolved, That the said Report be accepted. And that the Treasurer be Discharged accordingly. Sent up for Concurrence.

A Petition of *John Armstrong* and 34 others, lately arrived from *Ireland*, at *Casco Bay*, Praying that portions of Land may be Granted to them for their Settlement. And some Provisions may be sent to them for their Subsistence this Winter. Sent down from the Board, Read there, and Recommended.

Ordered, That *Habijah Savage*, Mr. *Timothy Lindal*, *John Stoddard*, and *Lewis Bane*, Esqrs; with such as the Honourable Board shall appoint, be a Committee

to whom the said Petition, and the [47] Petition of *Archibald Boyd, &c.* (Praying as entered the 31st of *Octob.* last) are Committed, to Report what they think proper for this Court to do thereon. Sent up for Concurrence.

3. *Post Meridiem.*

The Report of the Committee on the Petition of *John Higginson, Esq;* and 80 others, that was first offered the 31st of *May last*, further considered. And

Ordered, That the Report annexed be accepted. And that *Samuel Thaxter, Jonathan Remington, and Francis Fullam, Esqrs;* be a Committee to lay out as soon as may be, the said Township from the South-West Corner of *Grotton* Line, to Run six Miles Notherly upon *Grotton* West Line, then to turn upon a right Angle, and Run Westerly so far as that upon a return, to meet the Southerly Line of the said Township, it will make the quantity of six Miles square, exclusive of *Woburn* Grant, and that the said Committee be Impowered, to Grant out Lots to the Petitioners, or others that they think proper upon condition, that they bring forward a Settlement, on their respective Lots within the space of Three Years, next after their Lots are laid out to them, they paying the Committee the Charge of laying out the same, and said Committee are to take care, it be settled in a Defensible manner, reserving a conveniency of Land for the Ministry and Schools. And that the Land bordering Notherly between that and *Dunstable*, be kept clear from being taken up by private Grants.

Sent up for Concurrence.

Nathaniel Byfield, Esq; brought down from the Board a Letter from *Joseph Jencks, Esq;* Lieut. Governour of the Colony of *Rhode-Island*, to His Excellency the Governour, Dated *Novemb. 5. 1718.* Which was Read, intimating that the Great Bridge over *Patucket* River, is out of Repair and that Government has given Ten Pounds towards repairing it, on condition this Government give as much. Pass'd on in Council, *Novemb. 13th 1718.* Read and the consideration hereof is Recommended. Read and

Resolved, That the Sum of Ten Pounds be further allowed and paid out of the Publick Treasury, towards finishing the said Bridge.

Sent up for Concurrence.

Whereas the Treasurer has Represented to this House that many Persons have attended him with Bills of Publick Credit, Sign'd with three Hands only, to be Exchanged for others, pursuant to an Act of this Court for that end, and he has not had Bills Signed with Four Hands to Exchange them. And there is no Prospect that Bills sufficient to Exchange the said Bills, will soon come into the Treasury, there being still *l. 15000* to be exchanged, according to the Treasurers Accompt.

Ordered, That the time for the Treasurer to Exchange such Bills, be further

Lengthned out, and Extended, for the space of Six Months next coming: Any Law, Usage or Custom to the contrary, notwithstanding.

Sent up for Concurrence.

An Engross'd Bill Intituled, *An Act to enable Joseph Buckminster, Benjamin Bridges, and Jonathan Eaton, in behalf of the Town of Framingham, to bring forward an Appeal, which failed thro' a Defect in reasons of Appeal filed by the said Joseph Buckminster, Benja. Bridges and Jonathan Eaton, in behalf of the said Town.* Read and

Resolved, That the Bill do pass to be Enacted.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 15. Die Novembris, 1718. A. M.

A Petition of *Ephraim Haward, James Leonard, and Edward Shove*, Agents for the Town of *Norton*, Presented to the House and Read, Praying that the Line between the late Colony of the *Massachusetts Bay*, and the late Colony of *New-Plymouth*, may be run and settled, according to the late Charters of the said Colonies.

A Petition of *John Coye*, of *Wenham*, Presented to the House and Read, shewing that his late Father *Richard Coye*, was one of the first Inhabitants of *Brookfield*, and there continued till he was slain by the Enemy in defence thereof, praying this Court to confirm the several Parcels of Land belonging to him, in Right of his said Father, and three of his Brethren Deceased, which the Committee for the said Town refuse to allow him, because they did not comply with the conditions they prescribed them for a Settlement thereon.

The Petition of *Andrew Brown* and 12 others, of *Cape Porpus*, praying as entered the 15th Currant. Read again.

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

Addington Davenport, Esq; brought down a Bill Intituled, *An Act for the ease of Prisoners for Debt*, Pass'd to be Engrost, and sent down for Concurrence.

Read a first time.

Edward Bromfield, Esq; brought down a Report Signed, *Samuel Sewall, Edward Bromfield, John Clark, Thomas Hutchinson and Adam Winthrop*, shewing that they as a Committee appointed by the Governour and Council, to treat with Mr. *Baxter*, and forward his going again to instruct the Eastern Indians in Religion, had applyed to him for that end, but his Church have not been prevailed with, to consent thereto, and no one is sent upon the said Service, therefore lay the matter before the Court for their further direction therein. Read. [48]

An Engrost Bill Intituled, *An Act for the preventing of Persons under Age, Ap-*

prentices or Servants, being Transported out of the Province, without the consent of their Masters, Parents or Guardians. Read and

Resolved, That the Bill do pass to be Enacted.

A Report of *Samuel Partridge, Samuel Porter, and John Chandler* a Committee appointed by this Court the 18th of *June* last to Run the Line between the Towns of *Springfield* and *Enfield*. Sent down from the Board, pass'd upon there, *viz.* In Council *Novemb.* 13th 1718.

Voted, That the Line lately Run by order of the General Assembly, between *Springfield* and *Enfield* and reported by the Committee appointed for that purpose, be accepted and ratified in manner following: *That is to say*, To begin at a White Oak Tree by the great River, Forty Rods to the South of Long Meadow Brook, as it empties it self into the River, and thence extending East one Mile to a Pine Tree, called the Mile Tree, as the same was Run and Settled in the Year 1684. and renewed often times since, and at the end of the said Mile, the dividing Line between the two Townships, is to strike square off, or Northward to the new Line. Reserving nevertheless the Property of all, or any Lands Granted and Laid out in the whole of that Tract of Land which lyes between the old and new, or late Line, unto such Grantees, their Heirs and Assigns for ever.

Sent down for Concurrence. Read & Concurr'd.

And then the House Adjourn'd till Monnday next, Three a Clock Afternoon.

VOTES of the House of Representatives.

Lunæ 17. Die Novembris, 1718. P. M.

A Bill Intituled, *An Act for the ease of Prisoners for Debt.*

Read a 2d time. And

Ordered, That Mr. Turner, Capt. Wadsworth and Mr. Pain, be a Committee to whom the said Bill is referred.

A Message from the Board by Jonathan Dowse and Joseph Hammond, Esqrs; That His Excellency and the Council proposed, that this Court should proceed to the choice of a Keeper of the Light-House, to Morrow Morning at Ten a Clock.

The Vote of this House on the Petition of *Humphry Scammon*, &c. pass'd the 14th Currant, brought down from the Board, Concurr'd with the following Amendment, viz. *Provided*, That this Order shall in no measure Prejudice or Infringe the just Title of any Person to Lands there, and that Fifty Families more (at the least) than now are, be admitted as soon as may be, and Settled in a compact & defensible manner, according to the Direction of the Hon. *John Wheelwright*, Esq; and others the Committee for Regulating the Eastern Settlements; and that the name thereof be *Biddeford*. Sent down for Concurrence.

Read & Concurr'd.

A Petition of *William Borage*, *Dominicus Jordan* and 26 others, Inhabitants of *Scarborough*, Presented to the House & Read praying, That they may be directed and regulated in their Settlement, and have Eight or Ten Souldiers allowed them, for their protection for Two Years.

A Bill Intituled, *An Act for Erecting a Township within the County of York, to be called Augusta.* Read a first time.

A Petition of *John Leighton*, *Joseph Hill* and *Lewis Bane*, of the Committee for Regulating the Eastern Settlements, Presented to the House & Read praying, That they may be satisfied for their Time and Charge, in directing the Settlement of the Town of *Falmouth*, in *Casco Bay*.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 18. Die Novembris, 1718. A. M.

THE Report of *John Pynchon*, Jun. *Luke Hitchcock* and *John Ashley*, a Committee to whom the Petition of the Town of *Hatfield* was referred the 20th of June last, Presented to the House & Read, viz. That the Petitioners cannot receive any benefit by their prayer, there being no sufficient grounds for the same.

Read.

The Petitions of the three several Persons to be Keepers of the Light-House, that have been Read in the House this Sessions, Sent up to the Board, by Col. *Thaxter*, and Mr. *Thomas*, moving, That such Petition of the same nature as lie before the Board may be sent down.

Jonathan Dowse, Esq; brought down the several Petitions of *John Smallpiece*, *Richard Whitteridge*, *George Whitehorn* and *Joseph Hamilton*, praying that the Office of Light-House Keeper may be conferred on them. And a Memorial of several Merchants and others, Recommending Mr. *John Hayes* to that Office, all which were Read, and sent up again by Capt. *Whipple*, with a Message, That the House are now preparing their Votes for a Keeper of the Light-House.

Ordered, That Col. *Dudley* and Maj. *Savage* carry them up, and assist in sorting and numbering them with those of the Honourable Board, and Report the choice.

The said Members attended the Order of the House, and returned, that Mr. *John Hayes* was chosen by a major part of the Voters.

A Bill Intituled, *An Act for the ease of Prisoners for Debt*. Read a 3d time. And pass'd a Concurrence, with an Amendment.

A Petition of *Mercy Verien* Widow Relict, of *John Verien* late of *Boston* Sailmaker, Deceased, and *Thomas Verien* and *Mary Buckley*, Children of said *John* and *Mercy Verien*, Presented to the House & Read, praying power to sell a House and Land in *Boston*, which the said *Mercy's* Father *James Wiseman*, gave to her said late Husband, and the Children by them lawfully begotten, or to be begotten forever; to Discharge the just Debts of the said *John Verien*, and for the necessary support of his said Widow *Mercy Verien*.

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

A Petition of *Thomus White* of *Marshfield*, Presented to the House & Read, shewing, That in the Year 1712. being in the Service, he was wounded by the French Enemy in his Shoulder and Knee, whereof he is not yet cured, but much disabled from labouring for his Livelyhood. Praying relief. Committed.

A Petition of *Eldad Tupper* Representative of the Town of *Sandwich*, Presented to the House and Read, shewing, That if a Fence were made a cross the neck at the Entrance of the County of *Barnstable*, from Sea to Sea, the space of Four Miles, it would secure the whole County from being infested with Wolves, and be of great advantage, which yet no Towns of the said County do agree to bear their proportional charge of, except *Sandwich* and *Falmouth*, Praying that an Act may be made, obliging all the Towns of the said County in their just proportion to Erect and maintain such a Fence.

3. Post Meridiem.

A Petition of Serjeant *Daniel Tucker*, Presented to the House and Read, shewing, That he was Wounded in the Body, and had one of his Ribs broken by a shot from the Indian Enemy in the late War, whereof he is not yet cured, but thereby disabled from Labour, for his support, praying Relief.

Resolved, That the Sum of Twenty Pounds be allowed and paid out of the Publick Treasury to *Daniel Tucker* the Petitioner for his present Relief.

Sent up for Concurrence.

The Petition of *John Leighton, Joseph Hill & Lewis Bane*, praying as entered Yesterday. Read again.

And the Question being put, *Whether any Sum be Granted in answer to the said Petition?* It pass'd in the Negative. [50]

A Bill Intituled, *An Act for the establishing of an Inferiour Court of Common Pleas, and General Session, of the Peace, at the Island of Nantucket, in all causes wherein the Indians of said Island, are or may be concerned*, having been pass'd at the Board to be Engrost. Sent down for Concurrence. Read a 1st time.

A Petition of *Mary Thorla* of *Newbury*, Widow, Presented to the House & Read, praying, That she may be enabled to have a further Tryal of a cause between her and *John Noyes* and *John Robinson*, before the next Superiour Court of Judicature, to be holden at *Ipswich* for the County of *Essex*, for reasons therein alledged.

Ordered, That the Prayer of the said Petition be Granted. And that the Petitioner have liberty to bring in a Bill accordingly. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 19. Die Novembris 1718. A. M.

THE Vote of this House pass'd the 14thth Currant, on the Report of the Committee, on the Petition of *John Higginson* Esq; &c. Brought down from the Board, Concurr'd with an Amendment, *viz.* Provided, That there be laid out One Thousand Acres of Land in some convenient place within the said Township, to *Jonathan Tyng* Esq; who has many Years since purchased, and possessed the Indian Right, and is willing on the Condition abovesaid to Surrender up the same into the hands of the Government, and that the said *Tyng* on the same Terms with the other Setlers, be also allowed to Draw or Take up a Setlers Lot with after Rights and Divisions. And that *William Tailer, Adam Winthrop* and *Paul Dudley* Esqrs; be added to the Committee for the Affair above.

Sent down for Concurrence. Read and Non-Concurr'd. And the Vote of the House Insisted on.

A Bill Intituled, *An Act for the Establishing of an Inferiour Court of Common Pleas, and General Sessions of the Peace at the Island of Nantucket, in all Causes wherein the Indians of said Island, are or may be concerned*. Read a 2 d and 3 d. time and Non-Concurr'd.

The Petition of *Pelatah Whittemore*, &c. Praying as entred the 8th Currant, further considered, and the Report of the Committee thereon, which was accepted by the House, and accordingly,

Resolved, That the Sum of One Hundred and Seventy Pounds, Nine Shillings and Eight Pence be allowed and paid out of the Publick Treasury to the Petitioner *Pelataiah Whittemore*, and the Administrator of the Estate of *Arthur Jeffry* Deceased, in equal Moieties, in full of all Services, Losses and Accompts mentioned in their Petition. Sent up for Concurrence.

An Engrost Bill, Intituled, *An Act for the Ease of Prisoners for Debt*. Read and *Resolved*, That the Bill do pass to be Enacted.

A Petition of *Nathaniel Oliver*, of *Boston*, and *Martha* his Wife, presented to the House and Read, praying, That they may be Impowred to Sell a piece of Land in *Longlane* in *Boston*, containing about an Acre, which their Uncle and Aunt *Nicholas Page* Esq; and *Anna* his Wife, deceased, by their last Will and Testament gave with other Lands to the Petitioners, and the Heirs of their Bodies for ever; to Enable them to pay diverse Legacies in the said Will given to several Ministers, and others, to the Sum of 500 *l*. The said Entail notwithstanding. And the Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

The Petition of *Eldad Tupper*, praying as entred Yesterday. Read again.

And the Question being put, *Whether the prayer of the Petition be Granted?*

It pass'd in the Negative.

3. Post Meridiem.

A Petition of *Nathaniel Chauncey* of *Durham*, Clerk, presented to the House and Read, praying, That Five Hundred Acres of Land Granted the 6th of *May* 1657. to his late Grandfather *Charles Chauncey* then President of *Harvard College*, may be laid out for the Use of those to whom by his last Will he gave it.

And the Question being put, *Whether the prayer of the Petition be Granted?* It pass'd in the Negative. Inasmuch as it appears to this House, That the Grant made in the Year 1657. was only the Continuance and Confirmation of the Grant made in 1655. to the said President, which was laid out *Anno* 1664.

A Plat of 200 Acres of Land, laid out by *Jonas Haughton* Surveyer, and Chain Men under Oath, pursuant to a Vote of this Court, in *October* last, to fulfill a Grant, made to Capt. *Edward Johnson*, presented to the House for Approbation.

Ordered, That the Land Described & Delineated in the said Plat, be Allowed & Confirmed as the Two Hundred Acres of Land Granted to Capt. *Edward Johnson*, *Anno* 1663. provided it exceed not the Quantity of 200 Acres, nor Intrench upon any former Grant, nor is part of either the two Tracts of Land beyond *Groton*, proposed to be reserved for Townships by a Vote of this House, at their last Sessions. Sent up for Concurrence.

A Petition of *Peter Thacher*, presented to the House & Read, praying allowance

for his Time and Expences 12 Days in going to *Nantucket* with others appointed a Committee by this Court *Anno 1716.* to Inquire into the Grievances Complained of by the Indians there.

Resolved, That the Sum of Five Pounds be allowed and paid out of the Publick Treasury to *Peter Thacher Esq;* the Petitioner, in full for his Service and Expences mentioned in his Petition. Sent up for Concurrence.

The Report of the Committee of both Houses to whom the several Petitions of *John Armstrong* and *Archibald Boyd*, and their Associates, were Referred, sent down from the Board, pass'd upon there, and is as follows, *viz.* That the prayer of *John Armstrong* and others so far as relates to *Falmouth* cannot be Granted, for that the Town of *Folmonth* hath been anciently Inhabited, and the most if not all the Land there is a Propriety belonging to said Inhabitants and their Heirs, or Assigns.

But in answer to the said Petition in general and the other of *Archibald Boyd*, &c. The Committee think it reasonable, that a suitable Tract of Unappropriated Land in the Eastern Parts in quantity about Six Miles square be Marked out by a Committee to be appointed for that Service, who shall lay out Eighty House Lots in as Regular and Defensible manner, as may be with suitable Accommodations of Land to each House-Lot, not exceeding One Hundred Acres, to be Disposed of by said Committee, to said Petitioners, or others, who shall first offer to Settle the same. And when there shall be Forty of said Lots Setled, then the said Families, to have the Privilege of a Town, as to the ordering the Prudential Affairs thereof. But not to have the Disposal of any of the Common Land until the Number of Families shall Arrive unto Eighty, when the said Inhabitants may compleatly enjoy all Town Privileges, and the whole of said Tract, except the quantity of 250 Acres for the Ministry, and 250 Acres for a School, which shall be first laid out by the Committee aforesaid. By Order, and in behalf of the Committee, *N. Byfield.*

In Council, *Novemb. 19th. 1718.* Read & Accepted.

Sent down for Concurrence. Read and Concurr'd.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

VOTES of the House of Representatives.

Tobis 20. Die Nobembris, 1718. A. M.

Ordere*d*, That the Sum of Fifteen Thousand Pounds, of Bills of Credit on this Province be further, and as speedily as may be made by the Committee, that made the last Bills; saving that Mr. *John White* is added to the said Committee, in the room of the Honourable *Elisha Hutchinson* Esq; deceased.

That the Sum of Twelve Thousand Pounds be made off the highest Plate. The Sum of Two Thousand Seven Hundred and Fifty Pounds off the middle Plate, and the Sum of Two Hundred and Fifty Pounds off the lowest Plate. Who shall be paid for their Service after the same Rate, the Committee were for the last they made.

That they deliver them to the Treasurer taking his Receipt for the same. Ten Thousand Pounds thereof to be towards Exchanging the Bills Sign'd by three Hands only, and Five Thousand Pounds towards supply of the Treasury, for which a Fund is to be provided before they are Issued. Sent up for Concurrence.

The Petition of *William Borage*, *Dominicus Jordan* and 24 others, praying as entred the 17th Currant, Read again.

The Petition of *James Grant* Representative, of the Town of *Berwick*, which was referred to this Session, the 25th of *June* last. Read and Committed.

3. Post Meridiem.

The Report of the Committee of both Houses in answer to the Petitions of *John Armstrong* and *Archibald Boyd*, &c. entred Yesterday. Sent down from the Board, further pass'd upon there, viz. In Council, *Novemb. 20. 1718.* Ordered, That *John Wheelwright*, *Joseph Hammond*, *Charles Frost*, *Lewis Bane*, *Abraham Prebble*, Esqrs; and Capt. *John Leighton* (the Committee for the Eastern Settlements, be a Committee, fully Impowred, to lay out a Tract of Land, for a Town agreeably to the report on the other side, and to regulate the Settlement thereof.

Sent down for Concurrence. Read, and Concurr'd. The Committee to be paid for their Service by those that Take up Lots.

The following Vote sent down from the Board, viz. In Council, *Novemb. 20th. 1718.*

Voted, That the Honourable *Benj. Lynde*, *John Clark*, *Thomas Hutchinson*, and *Adam Winthrop*, Esqrs; be a Committee to joyn with such Gentlemen as the Honourable House of Representatives, shall appoint to draw up Instructions to the Agent upon some present Emergencies of the Government.

Sent down for Concurrence. Read and Concurr'd.

And *Edward Hutchinson* Esq; Mr. *Timothy Lindal*, *John Stoddard*, *Charles Chambers*, and *Habijah Savage*, Esqrs; are joyn'd in the affair.

A Plat of 400 Acres of Land laid out in two parcels near *Worcester*, by *David*

Haynes Surveyer, and Chain-men under Oath, to fulfil a grant made the 18th of *October* 1648. to the Heirs, or Assigns of Mr. *Thomas Walgrave*, presented to the House for Allowance.

Ordered, That the Two Tracts of Land Protracted, and Described, in the said Plat be Allowed and Confirmed; as the Four Hundred Acres of Land Granted the 18th of *October* 1648. to the Heirs or Assigns of Mr. *Thomas Walgrave*: Provided they exceed not the quantity of Four Hundred Acres, nor Intrench upon any former Grant: And the Owner or Owners of the said Land are Allowed to Purchase the Indian Right thereof, and of about One Hundred and Fifty Acres more lying near thereto of an Ancient Indian called *George Momisco*. So that *Josiah Chapin* Esq; approve of, and Consent to the Purchase Consideration.

Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Unenis 21. Die Nobembris, 1718. A. M.

THe Vote of this House pass'd Yesterday for the Making of *l. 15000.* of Bills of Publick Credit. Sent down from the Board, pass'd on there, *viz.* In Council, *Novemb.* 20th. 1718. Read and Concurr'd with that part of the Vote as relates to the Making Ten Thousand Pounds for the Exchanging the Bills, Signed with three Hands only; and Voted, That *Nathaniel Byfield, John Cushing, Ad-dington Davenport, Samuel Brown, and Edmund Quincey*, Esqrs; be a Committee, to Confer with a Committee of the House, on the other part of their Vote relating to the remaining Five Thousand Pounds. Sent down for Concurrence. [52]

Read and Concurr'd And *Jonathan Remington, Edward Hutchinson*, Esqrs; Mr. *Timothy Lindel, Samuel Thaxter, and Thomas Turner*, Esqrs; are a Committee for the said Conference.

Inasmuch as divers Parcels of Land Adjacent to or lying near the Towns of *Lancaster, Groton and Dunstable* have been Petitioned for in Order to the Erecting of Towns which Lands are not sufficiently known or described to this Court:

Ordered, That *Jonathan Remington* Esq; Mr. *Samuel Danforth*, and Capt. *John Shipley*, be a Committee to View the Land lying Westward from *Lancaster*, & from that Tract lately view'd and Delineated by a Committee of this Court towards Connecticut River, as also other Parcels of Land adjoining to the North part of said Tract, together with some Land lying on *Merrimack* River near *Dunstable*: And lay out four or five Townships in such Places as they think most convenient, of the Contents of about Six Miles Square each, and Report their doings, and present Plats of the respective Townships, together with the Names of such suitable Persons as offer themselves to Settle there, to this Court at their Session in *May* next, that Consideration may be then had for making Grants of such Lands. The Committee to be paid for their Service by those that shall Take up Lots, within such Grants. Sent up for Concurrence.

3. *Post Meridien.*

The Report of the Committee on the Petition of *Hatfield*, entered the 18th Currant, Read again.

And the Question being put, *Whether the said Report be accepted?*

It pass'd in the Negative.

The Petition of *Samuel Patridge, Isaac Hubbard, &c.* praying as entered the 1st of *November 1712*. Read. And the Question being put, *Whether the Prayer of the Petition be Granted?* It pass'd in the Negative.

The Petition of *Samuel Wakefield*, Praying as entered the 23d Day of *June* last. Read again.

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

A Bill Intituled, *An Act for Preventing of Deceit in the Gauge of Cask.*

Read a first time.

A Bill Intituled, *An Act for erecting a Township within the County of York, to be called Augusta.* Read a 2d time.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 22. Die Novembris, 1718. A. M.

A Bill Intituled, *An Act for preventing of Deceit in the Gauge of Cask.* Read a 2d time, and a 3d. And pass'd to be Engrost. Sent up for Concurrence.

A Bill Intituled, *An Act for erecting a Township within the County of York, to be called Augusta.* Read a 3d time.

And the Question being put, *Whether the Bill do pass to be Engrost?*

It pass'd in the Negative.

A Message from the Board by *Isaac Winslow, Esq;* That *Paul Dudley, Esq;* Attorney General is appointed one of the Judges of the Superiour Court of Judicature; and His Excellency the Governour had appointed the choice of an Attorney General to be made this Forenoon, if this House is ready for it.

A Message sent up to the Board by *Maj. Savage*, that this House are ready now to proceed to the said Choice.

The Votes of the House were prepared.

Ordered, That *Maj. Savage* and *Mr. Turner* carry up the said Votes, and assist in sorting and numbering them. And Report the Choice.

The said Members attended the Order of the House, and Reported that *John Valentine, Esq;* was chosen by a majority of the Voters.

A Petition of *Jonas Bond* and six others, Committees of the Town of *Watertown* and *Weston*, Presented to the House and Read, praying this Court will give Order for the Erecting a Bridge over *Charles River*, near the Salt Water in the

Town of *Watertown*, which originally belongs to the Country to do; and that this Court will indemnify them from the Penalty of 100 *l.* which they are under by a Judgment of the Court of Assize, that the said Towns should repair the Bridge there, by the 12th of this Month.

Ordered, That Capt. *Chambers*, Maj. *How*, and Mr. *Pain*, be a Committee to whom the said Petition is referred.

And then the House Adjourn'd till Monday next, Three a Clock Afternoon.

VOTES

Of the House of Representatives.

Monæ 24. Die Novembris, 1718. P. M.

COl. *Thaxter*, from the Committee appointed to Consider the Lists of Valuation returned from the several Towns, and propose what Sum each Town ought to pay to a Tax of *l.* 1000. offered a Report which was Read twice.

The Vote of this House pass'd the 20th Currant, for the making of *l.* 15000. of Bills of Publick Credit, &c. Sent down from the Board with the following Report and Vote entred thereon, viz.

In Obedience to the afore-written Order the Committee of each House above named have met, and conferr'd upon the Vote of the House of Representatives, referring to the making of the *l.* 5000. towards supply of the Treasury, and as a Result of their Conference are humbly of opinion:

That there is no necessity of Making any more new Bills, for such a supply, for that the Bills which will be brought in by the Trustees and Commissioners for the Loan, and by the Taxes, Impost and Excise, will be sufficient upon the Treasurer's being enabled to Issue the same, on such Security, as this Court shall agree on, at their present Session.

In the Name and *per* Order of the Committee,
N. Byfield.

In Council, *Novemb.* 22, 1718.

Read & Accepted.

Sent down for Concurrence.

Read and Non-Concurred, and

Voted, That the Vote of this House of the 20th. Currant be Insisted on with this alteration, that the whole of *l.* 15000. be applied to the Exchanging of Bills Sign'd with three hands only, (more than that Sum being still outstanding.) Sent up for Concurrence by Mr. *Tay*, and Capt. *Kent*, with a Message that the House proposes to make other Provision for supply of the Treasury.

Capt. *Chambers* from the Committee to whom the Petition of the Committees of the Towns of *Watertown* and *Weston*, was referred the 22d Currant, offered a Report. Which was Read.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 25. Die Novembris 1718. A. M.

THE Petition of *Jonas Bond*, &c. the Committees for *Watertown* and *Weston*, Praying as entered the 22d Currant, Read again, and the Report of the Committee thereon, which was not accepted.

Resolved, That the Record of this Court of *May* 10th. 1643, in the following words, *viz.*

"That Mr. *Mayhew* is Granted 300 Acres of Land in regard of his charge about the Bridge by *Watertown* Mill; and the Bridge to belong to the Country." Intends not that the Country should maintain the said Bridge; but only that it should be for the free use of the Country. Sent up for Concurrence.

The Report of the Committee for proportioning the several Towns of the Province, to the Sum of *l.* 1000, further considered and debated.

A Message from the Board, That they had Concurr'd with the House in their Vote for new making *l.* 15000 Bills of Publick Credit to Exchange the Bills Sign'd with Three Hands only, that are still outstanding.

3. Post Meridiem.

A Bill Intituled, *An Act for the Constituting a special Court of Oyer and Terminer, in and for the County of Hampshire.* Pass'd to be Engrost at the Board.

Sent down for Concurrence. Read a first time. [54]

The Report of the Committee for Proportioning the several Towns to the Sum of *l.* 1000. further Considered. And an account how the said Committee valued Houses, Orchards, Mowing, Tillage and Pasture Land *per* the Acre in the several Towns, in the forming their Report was Read.

The House Proceeded to Vote singly the Sum which each Town should Pay in the next Tax to a Thousand Pound; Permitting the respective Representatives to shew forth the state and circumstances of their Towns, before the Sum was Voted.

And the Sums reported by the Committee upon the several Towns in the Counties of *Suffolk* and *Essex*, were successively Voted.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 26, Die Nobembris, 1718. A. M.

A Bill Intituled *An Act for the Constituting a Special Court of Oyer, and Terminer in, and for the County of Hampshire.*

Read a 2d & 3d. time and pass'd a Concurrence. ¹

A Bill Intituled, *An Act for Altering the Form of the Oath of Jury men in Civil Causes;* having been pass'd to be Engrost in Council.

Sent down for Concurrence. Read a first time.

A Bill Intituled, *An Act in addition to an Act Intituled, An Act Impowring Justices of the Peace to Decide Differences not exceeding Forty Shillings.*

Read a first time.

The Report of the Committee, for Proportioning the several Towns to the

Sum of *l.* 1000. further Considered. And the Sums to be paid by the Towns in the Counties of *Middlesex, Hampshire, Plymouth, and Barnstable* were separately Voted, and some of them different from the Report of the Committee.

3. ~~Post Meridiem.~~

A Bill Intituled, *An Act in addition to an Act, Intituled, An Act Impowering Justices of the Peace to Decide Differences not exceeding Forty Shillings.*

Read 2 d. time.

The Report of the Committee for Proportioning the several Towns to the Sum of *l.* 1000 further Considered. And the Sums to be paid by the Towns in the remaining Counties, viz. *Bristol, Dukes County, York, and Nantucket*, were severally Voted, and some of them different from the Report of the Committee.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

VOTES

Of the House of Representatives.

Jobis 27. Die Novembris, 1718. A. M.

O *Ordered*, That the Over-plus of a Thousand Pounds, contained in the Sums Voted Yesterday, and the day before, to be paid by the several Towns, be taken off from such Towns as shall be judg'd to be highest Rated.

Ordered, That the Committee that Proportioned the several Towns to the Sum of l. 1000. Consider and Report, how, and from which Town or Towns, the said Over-plus shall be Taken off.

A Petition of *Ruth Nesuke*, an Old Indian Woman, presented to the House, and Read, praying, That she may be allowed to Sell a Tract of Land belonging to her, 5 Miles in length and 3 Miles in breadth, lying upon 7 Mile River, Northward of *Brookfield*, to Mr. *Benjamin Allen* of *Bridgewater*.

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

An Engrost Bill, Intituled, *An Act for the constituting a special Court of Oyer and Terminer, in and for the County of Hampshire.* Read and

Resolved, That the Bill do pass to be Enacted.

3. Post Meridiem.

A Petition of *James Grant*, praying as entred the 28th of *June* last, further Considered, and the Report of the Committee thereon, which was accepted by the House:

And accordingly,

Ordered, That the prayer of the Petition be Granted.

Sent up for Concurrence.

Col. *Thaxter* from the Committee appointed made Report how they thought the Over-plus of a l. 1000. in the Sums Voted on the several Towns ought to be abated; which was Accepted and Voted by the House.

A Memorial of *Jonathan Belcher* Esq; presented to the House and Read, Moving for the Reimbursement of a Sum of Money which he Disburst for the Service of this Province in *Great Britain*, Anno 1716.

Upon a Motion being made:

Ordered, That the said Memorialist be admitted into the House to Morrow Morning, to be heard on his said Memorial.

A Bill Intituled, *An Act for altering the Form of the Oath of Jury-Men in civil Causes.* Read a 2 d time.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.



Veneris 28. Die Nobembris 1718. A. M.

A Bill Intituled, *An Act for altering the Form of the Oath of Jury-Men in civil Causes.* Read a 3 d. time. And pass'd a Non-Concurrence.

A Bill Intituled, *An Act in addition to an Act Intituled, An Act Impowering Justices of the Peace to decide Differences, not exceeding Forty Skillings.*

Read a 3 d time.

And the Question being put, *Whether the Bill do pass to be Engros'd?*

It pass'd in the Negative.

The Memorial of *Jonathan Belcher* Esq; which was Read Yesterday, Read again. And he was admitted into the House, and heard thereon, and withdrew.

And the Question being put, *Whether any thing be Granted on the said Memorial?*

It pass'd in the Negative.

The Petition of *Thomas White*, praying as entred the 18th Currant, further considered, and the report of the Committee offered thereon, which was accepted by the House: And accordingly,

Ordered, That the Petition be Dismist, inasmuch as the Petitioner was not in the Service of this Province when he received his Wounds. [56]

3. Post Meridiem.

The Memorial of the Overseers of *Harvard College*, Moving as is entred the 13th Currant. Read again.

And the Question being put, *Whether the Additional Building ordered to be Erected at Harvard College be Inlarged, as proposed in the said Memorial?*

It pass'd in the Negative.

An Accompt of *Experience Mayhew*, for his Time & Expence, in going with others to *Nantucket* to hear the Grievances of the Indians there, pursuant to an Order of this Court in *Novemb. 1716*. Amounting to *l. 5*. presented to the House for Allowance.

Resolved, That the Sum of Three Pounds be allowed and paid out of the Publick Treasury to *Experience Mayhew* the Petitioner in full of his Accompt. Sent up for Concurrence.

The Petition of *Robert Ware*, praying as entred the 6th Currant. Read again, and an Answer thereto by *Daniel Smith*, and *David Freeman*. Read.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 29. Die Nobembris, 1718. A. M.

A Petition of *Daniel Smith*, Representative of the Town of *Rehoboth*, presented to the House & Read, praying That the Petition of *Robert Ware* Read Yesterday, may not be Granted, but a Hearing had thereon before this Court, for reasons therein alledged.

The Petition of *Robert Ware* Read again: And the Question being put, *Whether the Prayer of the Petition be Granted?* It pass'd in the Negative.

The Petition of *Daniel Smith* further Considered And

Ordered, That the prayer thereof be Granted, so that a Hearing may be had thereon before this Court, on the 2 d Friday of the next *May* Sessions: And that the Petitioner serve the Town of *Wrentham* with a Copy of both Petitions, and the Vote of this Court thereon. Sent up for Concurrence.

A Draught of the Settlement of the Precinct Line between *Ipswich & Chebacco* agreed between them, pursuant to Direction of this Court, *Anno 1715*.

Read & Accepted. Sent up for Concurrence.

The last Vote of this House, pass'd on the Report of the Committee, on the Petition of *John Higginson*, Esq; & others, the 19th Currant. Sent down from the Board Non-Concurr'd.

Ordered, That *John Stoddard*, Esq; *Mr. Isaiah Tay*, *Edward Hutchinson*, *Thomas Turner*, Esqrs; and Maj. *John Denison*, be a Committee to Confer with such as the Honourable Board shall appoint upon the Matters in Difference between the Houses in the said affair. Sent up for Concurrence.

A Petition of *John Smallpiece* of *Boston*, presented to the House & Read, shewing that about 4 Years since he was Creepled by being blown up with Gun-powder, in the Ware-House then Improved for the Impost Office, when he was endeavouring to prevent it's being burnt: Praying that he may be allowed to Sell the little quantity of Strong Drink which he draws, free from the Duty of Excise.

And the Question being put, *Whether the prayer of the Petition be Granted?*

It pass'd in the Negative.

Resolved, That the Sum of Ten Pounds be Allowed & Paid out of the Publick Treasury to *John Smallpiece* the Petitioner in full of what he may expect from this Court for the Service mentioned in his Petition.

Sent up for Concurrence.

And then the House Adjourn'd till Monday next Three a Clock Afternoon.

VOTES

Of the House of Representatives.

Lunæ 1. Die Decembris, 1718. P. M.

THe Petition of *Gurdon Saltonstall* Esq; which was Referr'd to this Session the 4th of *July* last. Read again, and
Ordered, That the said Petition be Referr'd to the Session of this Court in *May* next for further Consideration.

The Vote of this House pass'd the 21st of *Nov.* last appointing a Committee to lay out, 4 or 5 Towns, &c. Sent down from the Board, pass'd on there, viz. *Nov.* 29th. 1718 Read & Non-concurr'd. And the Vote following sent down in the room thereof, viz. In Council, *Nov.* 29. 1718. *Ordered*, That the common or ungranted Lands of this Province lying between *Connecticut River*, and the Towns of *Groton*, *Lancaster*, & *Dunstable*, and to the Westward thereof, Be well and skilfully Surveyed, to begin at the West Bounds or Line of the Township of *Dunstable*, and then to Run on a due West-line to *Connecticut River*, and all the Country Lands to the Southward of that Line, to be skilfully Surveyed, and Platted; the Distances duly observed, the sorts of Lands well Described, Places proper for Townships Marked; and make Return thereof to this Court, that so at any time hereafter, the Government may be the easier and better Prepared, to Grant any New Township, in that part of the Country when judged proper, and that

Be the Surveyors for that purpose, the charge thereof to be born by the Province, the Service to be attended, the next Year. Sent down for Concurrence. Read and Non-Concurr'd.

A Petition of Mr. Secretary *Willard* presented to the House & Read, praying, That a Consideration may be had of the Multiplicity & Increase of the Business of his Office, and the extraordinary Dearness of all necessities of Life, and that the Allowance to him may be Inlarged accordingly. Committed.

A Bill Intituled, *An Act for preventing of Deceit in the Gage of Cask.* Sent down from the Board Concurr'd with Amendments. Read and Agreed.

A Bill Intituled, *An Act prohibiting the Bills of Credit on this Province, signed by Three hands only to pass from Man to Man, or have any further Currency after the time herein Limited.* Pass'd at the Board to be Engrost.

Sent down for Concurrence. Read a first time.

An Accompt of *Mary Sanders* Widow, of charge for the time that her late Husband *Robert Sanders*, and others that he hired to assist him, Took care of the Light-House, before he was Drowned, and for Loss sustain'd by one of them when that Disaster happened. Read and Committed.

The Report of the Committee, of both Houses, for the Security of the Frontiers, Read the 8th of *Novemb.* Read again, and

Ordered, That the said Report be Referred to the next Session for further Consideration.

An Accompt of Writing done by *Samuel Tyley, Joseph Marion, Benj. Rolf* and *John Green* for this Court, last Year and this. Read & Committed.

The Vote of this House pass'd the 29th ult. on the Settlement of the Precinct Line between *Ipswich* and *Chebacco*, sent for down from the Board, and the following Proviso added to the said Vote, viz. *Provided*, That the acceptance of this Settlement shall not be understood to make any alteration in the Settlement made by this Court of the *Hamlett* Precinct, in the said Town.

A Petition of *Seth Smith* Prison-Keeper in *Boston*, presented to the House & Read, praying, That the Allowance for Food and Fuel for Prisoners, may be augmented, and a Remedy provided by Law for other Inconveniences, that happen to him in the said Office, as specified in his said Petition.

Ordered, That *Col. Hutchinson, Col. Dudley, Capt. Throop*, and *Mr. Turner*, be a Committee to whom the said Petition is Referred.

A Petition of *Thomas Gould* of *Branford* in *Connecticut*, and *Mary* his Wife, One of the Daughters, and Heirs of *John Mason* late of *Boston*, praying, That they may be Enabled to make Sale of part of an Old Dwelling House in the said Town that was her said late Father's, notwithstanding she is under the Age of Twenty-one Years. Sent down from the Board, pass'd on there, viz. In Council, *Novemb. 29th, 1718*. Read & Resolved, That the Petitioners *Thomas & Mary Gould* be Impowred to Sell the said *Mary's* Interest in the said House her Minority notwithstanding. Sent down for Concurrence.

Read and Non-Concurr'd.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [58]

Artis. 2. Die Decembris 1718. A. M.

A Petition of *Edward Hutchinson*, presented to the House and Read, praying Liberty to lay out 200 Acres of Land, Granted, *Octob 14 1657*. to *Richard Fellows*, near *Chicopey River*, now belonging, to the Petitioner, by a Surveyor and Chain-men under Oath, and Return a Plat for Confirmation to this Court.

Ordered, That the said Petition be Referred to the Session of this Court in *May* next for further Consideration

A Petition of *Anne Andrews*, Widow of *John Andrews*, and 5 others, presented to the House & Read praying, That they may be enabled to have and be admitted to a new Tryal of their Title according to Justice, to a Messuage or Tenement, in *Lynne*, formerly occupied by *Capt. Thomas Marshall*, for reasons therein alledged.

Ordered, That the said Petition be Referr'd to the Session of this Court in *May* next for further Consideration.

A Petition of *Samuel Moody*, and *John Smith* in behalf of the Town of *Falmouth* in *Casco Bay*, presented to the House & Read, praying, That the said Town may be Impowred to Elect all Town Officers, and to choose and send a Representative the next Year; And that care may be taken, for the Relief of diverse Families arriving there from *Ireland*, who are otherwise like to suffer for want of Sustenance.

Ordered, That Col. *Hutchinson*, Capt. *Chambers*, and Mr. *Pain* be a Committee to whom the said Petition is Committed.

A Petition of *Samuel Williams*, presented to the House & Read, Shewing, That he was in the Service, under Command of Lieut. Col. *John Ballantine* in the Expedition to *Port Royall* Anno 1710. and suffered Shipwreck in the Ship *Cesar* Capt. *Tay* Commander, and lost all that he had, narrowly escaping with his Life; praying, That he may be considered and have allowance made to him, as others in the same circumstances then had.

Resolved, That the Sum of Five Pounds be Allowed and Paid out of the Publick Treasury to Mr. *Phineas Upham*, to be by him Improved for the benefit of the Petitioner. Sent up for Concurrence.

The Vote of this House pass'd the 29th of *Novemb.* last, for a Committee to confer, with a Committee of the Board, on the Votes, on the Report of the Committee, on the Petition of *John Higginson*, Esq; &c. Sent down from the Board, pass'd on as follows, *viz.* In Council, *Decemb.* 1. 1718. Read & Concurr'd, and Voted, That the Honourable *William Tailer*, *John Clark*, *Thomas Fitch*, & *Jonathan Belcher* Esqrs; be a Committee to confer with the Committee of the House on the affair above, and that the consideration of the Vote of this Board relating to a Survey of the Lands of this Province, between the Towns of *Groton*, *Dunstable*, &c. and *Connecticut River*, be referr'd to the said Committee. Sent down for Concurrence. Read and Non-Concurr'd with that part of the Vote which relates to the Land between *Groton*, *Dunstable*, and *Connecticut River*.

The following Vote sent down from the Board, *viz.* In Council, *Decemb.* 1. 1718. *Ordered*, That the Honourable *William Tailer*; *John Clark*, *Thomas Fitch*, & *Jonathan Belcher* Esqrs; be a Committee to confer with such as the Honourable House of Representatives shall appoint upon the subject of the Bill about the Oath of Jurors. Sent down for Concurrence. Read and Non-Concurr'd.

The House Dislikeing the Body of that Bill.

A Message sent up to the Board by Capt. *Throop*, Col. *Buckminster*, and Mr. *Tufts*, to inquire whether any thing is done upon the Report of the Committee upon the Petition of *Elisha Cooke* Esq; Who return'd, It was under Consideration.

The Petition of Mr. Secretary *Willard*, praying as entred Yesterday, Read again, and the Report of the Committee thereon, which was accepted by the House, and accordingly,

Resolved, That the Sum of Ninety Pounds be Allowed, and Paid out of the Pub-

lick Treasury to *Josiah Willard* Esq; the Petitioner for this Year, and a further addition of Forty Pounds, for his extraordinary Service.

Sent up for Concurrence.

Resolved, That the Treasurer be & hereby is Directed, and Impowred to Issue forth and Emit the Sum of Five Thousand Pounds of the Bills of Publick Credit, that are or shall be received into the Treasury, for payment of the Publick Debts of the Province already contracted, for the Defence, and Support of the Government, and the neces- [59] sary Protection & Preservation of the Inhabitants of this Province, and for the Subsisting of Forts, and Garrisons, and Wages arising for their Service, for Payment of Grants, Salaries, and Allowances, made or to be made by this Court, according to such Draughts as from time to time, shall be made upon him, by Warrant or Order of the Governour, or Commander in Chief, for the time being, by and with the Advice and Consent of the Council. And the said Bills shall pass out of the Treasury, at the value therein expressed equivalent to Money, and shall be taken and accepted in all Publick Payments, at the advance and after the Rate of Five Pounds *per Cent.* more. And as a Fund & Security for the same, There be and hereby is Granted, to His Most Excellent Majesty, to the Ends and Uses, as aforesaid, A Tax of Five Thousand Pounds, to be Levied on Polls & Estates, both Real & Personal within this Province, according to such Rules, and in such Proportion, upon the several Towns and Districts, within the same as shall be agreed on and ordered by the Great & General Court or Assembly of this Province, at their Session in *May, Anno 1723.* and Paid into the Treasury, on or before the last Day of *December* next after.

Sent up for Concurrence.

An Accompt of the Charge of the Committee appointed by this Court to view and Plat a Township lying Westward of *Groton*, amounting to the Sum of *l. 24 10 s.* presented to the House for Allowance, Sign'd *William Tailer*.

Resolved, That the Sum of Twenty-four Pounds Five Shillings, be Allowed & Paid out of the publick Treasury to the Honourable *William Tailer* Esq; to Discharge the said Accompt. Sent up for Concurrence.

A Petition of *Thomas Church* Esq; praying as entred the 29th of *October* last, further considered, and

Ordered, That the said Petition be Referr'd to the Session of this Court in *May* next for further consideration.

3. *Post Meridiem.*

Resolved, That the Sum of Fifty Pounds be Allowed & Paid out of the Publick Treasury to Mr. *Jeremiah Allen* Treasurer, in consideration of his great and unusual Trouble in changing the Bills of Publick Credit sign'd with Three hands only, for which he has been obliged to procure help extraordinary, and for his be-

ing Serviceable to this Court, in other Instances, that Treasurers heretofore have not been. Sent up for Concurrence.

Ordered, That the Representatives of the Towns of *Boston, Charlestown, and Roxbury*, with such as the Honourable Board shall Nominate, be a Committee (at any time between this Session, and the Session of this Court in *May* next) when the Treasurer shall have Two Thousand Pounds, or more, of Bills in the Treasury that are received in Exchange, or otherwise Defaced, and unfit for Use, at his application to them, to take an Accompt of the Number of each of the sorts of the said Bills, & the Sum the whole amounts to, and give the Treasurer Receipt for them, and Burn the said Bills to Ashes, and make Report of their Doings to this Court, as often as there shall be opportunity, whose Receipt shall be a Discharge to the Treasurer equal to what the said Bills would have been if they had continued in his hands. Sent up for Concurrence.

A Bill Intituled *An Act prohibiting the Bills of Credit on this Province, signed by three hands only, to pass from Man to Man, or have any further Currency, after the time herein Limited.* Read a 3 d time, and pass'd a Concurrence.

A Message set up to the Board by Mr. *Porter*, Mr. *Thomas*, and Capt. *Throop*, Desiring the business of the Session may be forwarded as much as may be, for the House Desires to Rise.

The Draught of a Letter to Mr. Agent *Dummer*, prepared by a Committee of both Houses, sent down from the Board, accepted with Amendments. Read and Concurr'd without the Amendments. Sent up.

Resolved, That the Allowance for the Keeper of the Light-house, for the Year current, be the Sum of Fifty Pounds, to be paid quarterly as it becomes due.

Sent up for Concurrence. [60]

The Petition of *Samuel Moody* and *John Smith*, praying as entred this Day, further considered, and the Report of the Committee (to whom it was referr'd) thereon, which was accepted by the House, and accordingly,

Ordered, That this Petition be Referr'd to further consideration, at the Session of this Court in *May* next. Saving that one Hundred and Fifty Bushels of Indian Meal, be Allowed and Given to the Poor *Irish* People mentioned in the Petition, to be paid for out of the Publick Treasury; and that the Treasurer be Directed, to provide and forward the same, and give Direction for the Distribution thereof.

Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 3 Die Decembris, 1718. A. M.

A Petition of *Cyprian Whipple*, praying as that entred *June 21. 1717.* Sent down from the Board, having been Read there: And the Question being put, *Whether the prayer of the Petition be Granted:* It pass'd in the Negative.

Ordered, That the Accompts of the Commissioners for Letting out the *l. 100000* Loan of Bills of Credit that are laid before this Court, be Referr'd to a further Inspection, and consideration at their Session in *May* next; and that the Commissioners for the Counties of *Hampshire*, and *Yorkshire*, that have neglected their Duty, and have not Exhibited their Accompts be strictly required then to present them.

And that in the mean time, and at all times the said Commissioners of the several Counties are Directed to be very careful, to comply with the Directions of the Act whereby they are Constituted, and particularly to use all proper care and caution that the Security they shall Take for such Bills, as they shall Let out, be good and sufficient. And they are forthwith to pay in to the Treasurer the Ballance of the Accompt of Interest in their hands, as the Law Directs.

And it is further Directed & Ordered, That the Select-men, of any and every Town that shall make Apprizal of any Estate proposed to be Mortgaged, to the said Commissioners, shall be under Oath that they shall faithfully, and according to the best of their skill, and judgment make every such Apprizal, that they shall make, which the said Commissioners are to be Certified of before they Let out any more Bills. Sent up for Concurrence.

An Engrost Bill, Intituled, *An Act prohibiting the Bills of Credit on this Province signed by three hands only, to pass from Man to Man, or to have any further Currency, after the time herein Limited.* Read, and

Resolved, That the Bill do pass to be Enacted.

A Bill Intituled, *An Act for the better enabling & directing of Jacob Seeknout the Indian Sachem of Chabbaquidduck, & his Heirs, to the bringing forward, any Action, or Actions, as well for the Title of said Island, as for any Routs, Trespasses, or any other Matter relating to said Island; pass'd to be Engrost at the Board, sent down for Concurrence.* Read a first time. And the Question being put, *Whether the said Bill be read a 2 d time?* It pass'd in the Negative.

The Accompt of *Mary Sanders*, &c. of charge about the Light-house, which was committed the 1st Currant, further considered, and the Report of the Committee thereon, which was accepted by the House, and accordingly,

Resolved, That the Sum of Five Pounds Fifteen Shillings be allowed & paid out of the Publick Treasury to *Mary Sanders*. The Sum of Seven Pounds Nine Shillings and Six Pence to *John Chambertain*. The Sum of Two Pounds Twelve Shillings to *Michael Mackloud*. And the Sum of One Pound Twelve Shillings to the Widow *Bradduck*, in full of each of their Accompts. Sent up for Concurrence.

Resolved, That the Sum of Six Hundred Pounds be Allowed & Paid out of the Publick Treasury to His Excellency SAMUEL SHUTE Esq; Captain General and Governour in Chief of this His Majesty's Province, for His Support in Managing the Affairs of the Government. Sent up for Concurrence. [61]

3. Post Meridiem.

A Plat of 300 Acres of Land laid out for Col *Joseph Buckminster* in *Hopkinton*, pursuant to an Order of this Court, presented by *Samuel Thaxter* Esq; the Surveyor that was appointed to Lay out the same.

Ordered, That the Land Protracted and Delineated, in this Plat, be Allowed and Confirmed as the Three Hundred Acres Granted to Mr. *Mayhew* in the Year 1643. Provided it Intrench upon no former Grant. Sent up for Concurrence.

Resolved, That the Treasurer be Directed to Purchase good Bills of Exchange for Three Hundred Pounds Sterling, to be paid to Mr. *Jeremiah Dummer* in *London*, Agent for this Province, further to Enable him to Negotiate the Affairs thereof. Sent up for Concurrence.

Resolved, That the Sum of Thirty Pounds be further Allowed and Paid out of the Publick Treasury to Mr. *John White* Clerk of this House, for his Service in the Year Currant. Sent up for Concurrence.

Resolved, That the Sum of Twenty-seven Pounds Ten Shillings be Allowed and Paid out of the Publick Treasury to Mr. *John Flagg* Door-keeper to His Excellency the Governour, and this Court for his Service half a Year ending the 26th Day of this Month. Sent up for Concurrence.

Resolved, That there be Allowed and Paid out of the Publick Treasury, to Mr. *John White* the Sum of Ten Pounds, for his Transcribing and Preparing the Votes of this House for the Press the last Year, and the Sum of Ten Pounds for the like Service this Year. Sent up for Concurrence.

An Engrost Bill Intituled, *An Act for Preventing of Deceit in the Gage of Cask*.
Read and

Resolved, That the Bill do pass to be Enacted.

Ordered, That the Reverend Mr. *John Wise* Minister of *Chebacco*, be Requested to Preach before His Excellency and the General Assembly in the Publick Audience, at the next Day of Election of Councillors.

Ordered, That Mr. *Tay*, and Capt. *Osgood*, Go up to the Board, and acquaint them with the said choice.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jobis 4. Die Decembris, 1718. A. M.

THE Report of the Committee of both Houses, on the Memorial of *Elisha Cooke* Esq; appointed the 1st of *July* last, brought down from the Board, and Read.

And the following Votes, viz.

In Council, *Decemb. 3. 1718*. Voted, That the Consideration of the Report of the Committee on Mr. *Cookes* Memorial be Referr'd, to the next Session of this Court. Sent down for Concurrence. Read and Non-Concurr'd.

In Council, *Decemb.* 3d. 1718.

Voted, That His Excellency be Desired to Issue out a Proclamation for the Securing His Majesty's Rights in the Woods, according to the Reservation in the Royall Charter, and the Protection of His Majesty's good Subjects in their just Rights and Privileges, of Logging, Masting and Tember.

Sent down for Concurrence.

The Report on the said Memorial further Considered, and is as follows, *viz.*

The Committee appointed to consider the Memorial of *Elisha Cooke Esq; &c.* having Perused the several Papers referring thereto, Do report as follows, *viz.*

That the Allegations made against the said *Elisha Cooke* by *John Bridger Esq;* Surveyor General of His Majesty's Woods, are not Supported by the Papers laid before us.

That the said *Bridger* hath obstructed the Inhabitants of this Province in their just Rights and Privileges of Logging by his Arbitrary and Unwarrantable Demanding Money of them for Liberty to Improve their Rights, as aforesaid.

The Committee are therefore humbly of Opinion that some effectual Care be taken by this Government, to Secure both His Majesty's Rights in Trees fit for Masts for His Navy, according to the Reservation in the Royall Charter, and the aforesaid Privileges and just Properties of His Majesty's good Subjects of this Province from further Invasions.

In the Name and by Order of the Committee,

John Clark.

Read and Accepted.

Sent up for Concurrence. [62]

3. Post Meridiem.

A Bill Intituled, *An Act in further Addition to an Act for Erecting a Powder House in Boston.* Having been past to be Engrost at the Board.

Sent down for Concurrence. Read.

The Accompt of Writing done by *Samuel Tyley, &c.* Committed the first Current, further considered, and the Report of the Committee thereon, which was accepted by the House. And accordingly,

Resolved, That the Sum of Fifteen Pounds Ten Shillings and Six Pence be allowed and paid out of the Publick Treasury, to Mr. *Samuel Tyley* to Discharge his own and the annext Accompts, *viz* Nine Pounds in full of his own Accompt.

Two Pounds six shillings and six pence in Full of Mr. *Joseph Marion's* Accompt.

Three Pounds in Full of Mr. *Benjamin Rolf's* Accompt.

And One Pound four shillings in Full of Mr. *John Green's* Accompt.

Sent up for Concurrence.

The Accompt of *James Halkerston*, which was Committed the 5th of last

110 Journal of the House of Representatives

Month, further considered and the Report of the Committee thereon, which was accepted by the House. And accordingly,

Resolved, That the Sum of Eighteen Pounds be allowed and paid out of the Publick Treasury to Mr. *James Halkerston* in Full of the said Accompt.

Sent up for Concurrence.

A Petition of *Jonathan Remington*, Esq; in behalf of sundry Descendants of *Simon Bradstreet*, Esq; to whom he gave a Grant of 500 Acres of Land, that was formerly given him by the General Court, presented to the House and Read, praying Liberty to lay out and Plat the same, where it can be found, and present it to this Court for confirmation.

Ordered, That the said Petition be Referred to the Session of this Court in *May* next for further consideration.

A Petition of *Anthony Austin* of *Suffield*, presented to the House and Read, praying, that an Exchange may be Granted him of some of the Province Land, for some of his, which will be no Damage to the Province, and a great advantage and conveniency to him.

Ordered, That the said Petition be referred to the Session of this Court in *May* next for further consideration.

A Message from the Board by *Penn Townsend* and *Edward Bromfield*, Esqrs; that His Excellency directs this House to attend him in the Council Chamber.

Mr. Speaker and the House went up accordingly.

And His Excellency was pleased to Prorogue the Court to Wednesday the 11th Day of *March* next at Ten a Clock in the Morning.

B O S T O N : Printed & Sold by *B. Green*. 1718.

JOURNAL of the House of Representatives.

At a Great and General Court or Assembly of His Majesty's Province of the Massachusetts-Bay in ~~Great~~ *Great* ~~England~~, begun & held at ~~Boston~~, upon Wednesday the 27th Day of ~~May~~, *May*, Anno Domini, 1719.

THE Hon. *Samuel Sewall, Benj. Lynde & Addington Davenport* Esqrs; came down from the Council Board, & acquainted the House, That they were appointed & Authorized by His Excellency the Governour, that this House should take the Oaths, Make & Subscribe the Declaration, Take & Subscribe the Oath of Abjuration (as by the Royal Charter of this Province is Directed) before them; which was accordingly done by all the Members present, and then they withdrew.

The Names of the Persons Returned to Serve for and Represent the several Towns, are as follows. *viz.*

Boston, { Elisha Cooke Esq;
Oliver Noyes Esq;
Mr. Isaiah Tay
Mr. William Clark
Roxbury, William Dudley Esq;
Dorchester, Maj. Tho. Tileston
Hingham, Col. Samuel Thaxter
Brantrey, Maj. John Quincey
Dedham, Capt. Samuel Guild
Medfield, Mr. Henry Adams
Weymouth, Mr. John Torrey
Milton, Mr. Ephraim Tucker
Wrentham, Mr. Thomas Bacon
Mendon, Josiah Chapin Esq;
Brooklin,
Woodstock, Mr. Samuel Paine
Needham
Salem, { Mr. Timothy Lindal
Capt. John Gardner
Ipswich, { Capt. Matth. Whipple
Mr. Michael Farley
Lynn, John Burril Esq; *Speaker*
Newbury, { Capt. Richard Kent
Mr. Nath. Coffin
Marblehead, Joh. Cawley Esq;
Andover, Mr. Nebemiah Abbot
Bradford, Mr. Thomas Kimbal
Beverly, Mr. Samuel Balch
Wenham, Mr. William Rogers
Roxley, Mr. Joseph Jewet
Salisbury, Capt. John Wadleigh
Haverhill, John White Esq;
Amesbury, Mr. Joseph Brown
Gloucester, Capt. Nathaniel Coit
Topsheld, Mr. James Perkins

Boxford, Mr. Thomas Pearley
Manchester,
Cambridge, Mr. Andrew Bordman
Charles- { Charles Chambers Esq;
town, { John Foye Esq;
Watertown, Mr. Samuel Stearns
Newton, Mr. Ebenezer Stone
Concord, Mr. Benj. Whittemore
Woburn, Mr. Samuel Walker
Reading, Mr. John Brown
Sadbury, Mr. Peter Haynes
Marlborough, Thomas How Esq;
Malden, Mr. Jacob Wilson
Chelmsford, Mr. Stephen Pierce
Billerica, Oliver Whiting Esq;
Sherburn, Mr. William Rider
Groton, Capt. John Shipley
Lancaster, Mr. John Houghton
Framingham, Jos. Buckminster Esq;
Medford, Mr. Thomas Willis
Lexington, Mr. Thomas Blegget
Weston, Francis Fullam Esq;
Stow,
Springfield, Luke Hitchcock Esq;
Northampton, John Stoddard Esq;
Hadley, Mr. John Nash
Hatfield, Mr. John Dickinson
Suffield, Mr. John Austin
Westfield, John Ashley Esq;
Enfield,
Deerfield, Mr. Thomas Wells
Brookfield, Capt. Tho. Baker
Plymouth, Mr. John Foster
Scituate, Mr. John Barker
Bridgewater, Mr. Rich. Davenport

Marshfield, Isaac Little Esq;
Duxbury, Mr. Sam. Seaberry
Rochester, Mr. John Hammond
Pembroke, Capt. Tho. Barker
Plympton, Mr. Benoni Lucas
Middleborough, Capt. Ja. Tompcon
Barnstable, Jos. Lothrop Esq;
Eastham, Mr. John Paine
Sandwich, Mr. John Chipman
Yarmouth, Mr. John Hedge
Harwich, Mr. Wm. Mirrick
Truro, Thomas Paine Esq;
Bristol, Capt. William Throop
Taunton, Seth Williams Esq;
Dartmouth, Mr. Jonath. Delano
Rahoboth, Mr. Dan. Carpenter
Little Compt. Tho. Church Esq;
Sewanney, Mr. John Thomas
Troverton, Mr. Gerahom Woodel
Attleborough, Mr. Jer. Whipple
Dighton, Mr. Ebenezer Pitts
Norton, Mr. Nicholas White
Barrington, Mr. Zech. Bicknel
Freetown, Mr. Sam. Forman
York, Abraham Prebble Esq;
Kittery, Charles Frost Esq;
Wells, Capt. Joseph Hill
Falmouth, Mr. William Scales
Berwick, Capt. Sam. Plaisted
Biddisford, Mr. Humph. Scammon
Edgartown, Mr. John Norton
Chilmark, { Pain Mayhew Esq;
Tisbury, {
Nantucket, George Bunker Esq;

The House Proceeded to bring in their written Votes for a Speaker, which being Examined, It appear'd that *John Burril Esq;* was chosen by a major part of the House.

And he was accordingly Conducted to the Chair.

The House Proceeded to the Election of a Clerk by written Votes, which being Examined, It appear'd that Mr. *John White* was chosen by a major part of the House: And he was sent for to the House.

A Message sent up to the Board by *Oliver Noyes*, and *Samuel Thaxter Esqrs;* Mr. *Timothy Lindall*, and *John Stoddard Esq;* to Report to his Excellency the Governour, the choice the House had made of a Speaker. Who return'd that his Excellency said the choice is acceptable to him.

Post Meridiem.

A Message sent up to the Board by Mr. *Tay* & Capt. *Chambers*, That the House are met, and ready to proceed to the Election of Councillors: Who Return'd answer that the Board would send down a Message when they are prepared.

A Message from the Board by Mr. Secretary *Willard*, That their Votes are in readiness for 18 Councillors that are Inhabitants or Proprietors of Lands within the Territory formerly called the Colony of the *Massachusetts-Bay*.

The House having brought in their Votes for 18 Councillors, as aforesaid.

Ordered, That Col. *Thaxter*. Col. *Dudley*, Mr. *Lindall*, Capt. *Noyes*, and Mr. *Cooke*, be a Committee to carry up the Votes of this House for Councillors, and assist in sorting and Numbring them, together with the Votes of the Board, and Report to the House the several Elections that shall be made. [2]

The said Committee carried up the Votes of the House for Councillors in the late Colony of the *Massachusetts-Bay*, until that eighteen were chosen by a major part of the Electors.

Then for the late Colony of *New-Plymouth*, until four were chosen as aforesaid.

Then for the late Province of *Maine*, until three were chosen as aforesaid.

Then for the Territory between *Sagadehoc* & *Nova Scotia*, until that one was chosen as aforesaid. Then for Persons dwelling in any part of the Province, until two were chosen as aforesaid. And they Reported that the Names of the Persons chosen are as follows, viz:

Of the Inhabitants or Proprietors of Land in the Territory formerly called the *Massachusetts Bay*. viz:

The Honourable *William Dummer Esq;*
John Appleton Esq;
Edward Bromfield Esq;
Benjamin Lynde Esq;
Thomas Hutchinson Esq;
Jonathan Belcher Esq;

Samuel Sewall Esq;
John Higginson Esq;
William Tailer Esq;
Addington Davenport Esq;
Samuel Brown Esq;
Jonathan Dowse Esq;

Penn Townsend Esq;
Samuel Partridge Esq;
Nathaniel Norden Esq;
John Clark Esq;
Thomas Fitch Esq;
Samuel Thaxter Esq;

Of the Inhabitants or Proprietors of Land within the Territory formerly called *New-Plymouth*, viz:

Nathaniel Byfield Esq; *Isaac Winslow Esq;* *John Cushing Esq;* *John Otis Esq;*

Of the Inhabitants or Proprietors of Land within the Territory, formerly called the Province of *Maine*, viz.

John Wheelwright Esq; *Joseph Hammond Esq;* *Charles Frost Esq;*

Of the Inhabitants, or Proprietors of Land lying within the Territory between *Sagadahoc* and *Nova Scotia*. viz.

Paul Dudley Esq;

Of the Inhabitants, or Proprietors of Land lying in any part of the Province.

Nathaniel Paine Esq; *Edmund Quincy Esq;*

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jobis 28. Die Marti, 1719. A. M.

O *Ordered*, That *John Stoddard Esq;* *Mr. William Clark*, and *Mr. Timothy Lindall* wait on his Excellency the Governour with the afore-written List of the Councillors or Assistants newly chosen for the Year ensuing for his Excellency's Approbation of the Persons therein Named, to be given in Writing under his hand.

Ordered, That the Clerk of this House be under Oath to the faithful Discharge of his Office.

Mr. Justice Thaxter Administred the following Oath to the Clerk in presence of the House,

Y *ou do Swear, That you will faithfully Discharge the Office and Duty of Clerk of this House, according to the best of your skill and Understanding.*
So help you God.

The House Proceeded to Examine the Returns of the Precepts from the severa. Towns of the choice of their Representatives, and Pass'd through the same.

A Complaint of several Persons of the Town of *Malden*, presented to the House, and Read, Representing that *Mr. Jacob Wilson*, who is returned Representative of the said Town is not duly Elected.

Ordered, That the Complainants serve the Persons who act as Select-men of the said Town with a Copy of their Complaint, and that both Parties attend, and be heard before this House upon the said Complaint on Wednesday the 3d Day of *June* next.

John Appleton, and *Addington Davenport Esqrs;* brought down the List of Councillors that was presented to his Excellency the Governour this Day for his Approbation; there being entred thereon as follows viz. In Council

May 27th. 1719. The Gentlemen Named on the other side were duly Elected of His Majesty's Council for this present Year. Attest *J. Willard* Secr.

I Consent to this choice,

SAMUEL SHUTE.

A Message from the Board by *John Otis & Jonathan Belcher* Esqrs; That *Samuel Thaxter*, and *Charles Frost* Esqrs; now chosen of His Majesty's Council, may be sent up, to take their place at that Board. And they were sent up accordingly accompanied by Capt. *Noyes*, Capt. *Preble*, and Mr. *Lindall*.

Ordered, That a Precept be sent to the Towns of *Hingham*, and another to the Town of *Kittery*, to Elect and send their Representatives, in the room of *Samuel Thaxter* Esq; and *Charles Frost* Esq; now chosen of His Majesty's Council.

The usual Orders of the House Read, and *Ordered* to be the Rules, and Orders of this House during the Session, and Sessions thereof.

Ordered, That Capt. *Chapin*, Capt. *White* & Mr. *Whittemore*, be Monitors of the House to take care that the Orders thereof be duly observed.

A Message from his Excellency the Governour by Mr. Secretary *Willard*, That this House do attend him in the Council Chamber.

Mr. Speaker and the House went up accordingly, and his Excellency made a Speech to the Court, whereof Mr. Speaker obtain'd a Copy, and with the House returned to their own Chamber. His Excellency's Speech Read, and is as follows, viz.

GENTLEMEN,

SINCE Our last Meeting my Master King GEORGE, has with other Great Potentates engaged in a just War against Spain, and I expect immediate Orders to Proclaim it in the Provinces under my Command.

I am very well pleased with the new Works that have been ordered to be done at the Castle by the last Assembly, which will be of great Service to us, if any Enemy should Approach our Harbour, and I shall earnestly recommend to the Town that their Batteries which are in a miserable Defenceless Condition be repaired that they may be serviceable also. [3]

I must observe to you that the King has been graciously pleased to take off the Duty from your Lumber; I hope we shall always do things worthy of this and all other Royal Favours and Priviledges which we at present enjoy, that so they may be long continued to us, in which you shall constantly have the Concurrence of my utmost endeavours.

Gentlemen,

You are now met for the Business of the present Year to Inquire into and Resolve upon what may be for the Honour of His Majesty's Government and the Peace and Welfare of the Province, and therefore hope you'll lay aside all Animositities and Heats, and Act with Concord, Zeal and Faithfulness to your Country in this Critical Juncture.

It was a great Satisfaction to me to observe in the last Assembly so good an Agreement as to the Publick Interest, and so little of a private and party Spirit.

I hope this Assembly will not come short of it, but will even try to exceed them on that Account.

What our wants are, we all well know, if therefore proper Measures, can be proposed to relieve us, I shall with great chearfulness pursue them.

I must likewise observe to you that as His Majesty is always inculcating in His Speeches from the Throne, the Sanction of Parliamentary Securities and the Danger of post-poning them which constantly supports the Credit of Great Britain, so I think myself in Duty bound to give you the same Advice, and must affirm that whoever endeavours to break into such Acts of this Province is attempting entirely to ruin the Publick Credit of all General Assemblies and also of this Country.

I hope what I now say will not only prevent any motion of so Fatal a Consequence, but will also engage you if any such breach has been formerly made to take effectual Measures to make it up again.

It seems to me that it would be to our Service that in this Assembly the most weighty and important Affairs of the Province should first fall under consideration, the House being then full, and afterwards the matters of lesser moment,

Gentlemen,

I have nothing further to add but to acquaint you that the small Body of Men that marched to the Eastward, for the Protection of His Majesty's good Subjects there, has had the desired Effect, and the Indians do not seem to take any Umbrage at the Movement of these Forces.

Ordered, That Mr. Cooke, Mr. Lindal, Capt. Fullam, Maj Stoddard and Mr. John Barker be a Committee to examine and consider the subject matter and allegations of such Petitions as are Presented to the House, and referred to them and report the same, with their opinion thereon to the House,

A Petition of *Walter Price* of *Salem* one of the Commissioners or Trustees in the County of *Essex*, for the $\$100000$ Pounds Loan of Bills of Publick Credit, Presented to the House and Read, praying, That he may be dismiss from that Trust, his bodily indisposition being such, as renders him incapable further to Discharge it.

Ordered, That the Petition be dismiss, that affair lying before the Court of General Sessions of the Peace in the County.

Post Meridiem.

Ordered, That Mr. Tay, Capt. Chambers and Mr. Balch return the Thanks of this House to the Reverend Mr. *William Williams*, for his Sermon Preached before his Excellency the Governour and this Court in the Publick Auditory Yesterday, and request a Copy thereof for the Press.

A Petition of *Benj. Allen* that was referred to this Session the 12th of March last, Read.

And the Question being put, *Whether the said Petition shall be Committed?* It pass'd in the Negative.

And the Question being put, *Whether the prayer thereof be Granted?*

It pass'd in the Negative. Upon a Motion being Made

Ordered, That the Report of the Committee for propotioning the several Towns of this Province, to a Tax of *l. 1000*, made at the Session of this Court in *November* last, be Read to Morrow Morning.

A Petition of *David Rice*, *Thomas Druny* and 100 others, Presented to the House and Read, praying, That a Tract of Land, of the Quantity of Ten Miles square, lying between the Towns of *Rutland* and *Northfield*, upon *Miller's* River, may be Granted to them to settle a Town thereon.

And the Question being put, *Whether the Prayer of the Petition be Granted?* It pass'd in the Negative.

Whereas diverse Petitions have been lately presented for Grants of Lands, not duly known to this Court.

Ordered, That *Oliver Noyes*, Esq; Capt. *John Gardner*, Mr. *John Pain*, *Francis Fullam*, Esq; and *John Stoddard*, Esq; with such as the Honourable Board shall nominate, be a Committee to consider and report to the Court what they think proper now to be done, relating to a better Discovery of the Lands in the Frontiers of this Province, scituate to the Westward of *Merrimack* River as far as *Connecticut* River, that a further consideration may be had, for the making a regular and defensible Line of Settlements on that Frontier.

Sent up for Concurrence.

And the House Adjourn'd till to Morrow Morning Nine a Clock.

Generis 29. Die Maii, 1719. A. M.

THE Precept to the Town of *Newton* for choosing Representatives, not being returned by the Sheriff till this Day.

Ordered, That the Sheriff of *Middlesex* be directed to attend this House to Morrow Morning, to answer for that neglect.

According to the Order of the Day, the Report of the Committee for Propotioning the several Towns of this Province to a Tax of *l. 1000*. that was made and pass'd in this House at their Session in *November* last, was Read, and Debated.

Ordered, That the said Report be Read and further considered on Tuesday next.

A Memorial of *Charles Chambers* and *Andrew Bordman*, of the Committee for building an addition to *Harvard College*, presented to the House and Read, shewing the conveniency, and Reasonableness that the Building already begun should be enlarged, and moving that the Memorial of the Overseers of the said College, that was Presented to this Court, at their last Session, to the same purpose may be Read.

The said Memorial of the Overseers moving as entered the 13th of *November* last. Read. [4]

Ordered, That Mr. *Cooke*, Mr. *John Pain*, Mr. *Lindal*, Mr. *John Barker* and Mr. *Stone* be a Committee to whom the said Memorials are referred, to consider and make Report to the House what they think proper to be done in answer thereto.

Post Meridien.

A Report signed by *John Clark*, &c. a Committee appointed by this Court in *October* last, to receive of the Treasurer, take account of, and burn Bills of Credit on this Province, sign'd with three hands only, and such as are Torn and unserviceable. Presented to the House and Read, shewing, That they had received of the Treasurer and Burnt the Sum of *l. 8521 10 s. 9 d.* in Bills at their exprest Value, *l. 7047 14 s. 3 d.* whereof were Bills that were signed with three hands only, and the remaining Sum of *l. 1473 16 s. 6 d.* were paid in by the Trustees for the *l. 50000* Loan of Bills.

Resolved, That the said Report be accepted, and that the Treasurer be Discharged accordingly. Sent up for Concurrence.

Upon a Motion being made

Ordered, That a Sum of the Bills of Credit on this Province, not exceeding *l. 1000* be sent up, and committed to the care of a Skilful, Faithful Person, in the Colony of *Connecticut* to be Exchanged for such true Bills of this Province, as are called in, and forbidden to have further Currency, or Torn, and unserviceable, who is to give Receipt and Accompt for the same.

Provided, That the Government of the said Colony take care at the same time, that an Exchange be made in the Town of *Boston*, of their Bills of Publick Credit, that are in in like Circumstances. That the Honourable *William Pitkin*, Esq; be requested to accept and undertake the said Service. And that care be taken to instruct, and inform him, that he may know and distinguish the true Bills from those that are Counterfeit. Sent up for Concurrence.

An Accompt of *Ebenezer Lewes*, Treasurer for the County of *Barnstable*, from *April 1718.* to the 3d of *April 1719.* Presented to the House and Read.

Ordered, That the said Accompt be allowed. Sent up for Concurrence.

Mr. *Cooke* from the Committee to whom the Memorial of the Overseers of *Harvard College*, and the Memorial of *Charles Chambers* and *Andrew Bordman* were this Day referred, offered their Reports to the House, which was accepted and addition made thereto by the House, and accordingly,

Ordered, That the additional Brick Building to *Harvard College*, for the suitable Reception and Accommodation of the Tutors and Students there shall extend in length 100 Feet.

That Two Thousand Pounds over and above the *l.* 1500. already Granted, be Allowed & Paid out of the Publick Treasury to the Committee appointed for the Effecting of the said Building.

That the Rent paid by the Students that shall be Entertained in the said Building, shall not exceed 20 *s.* *per Man per Annum.*

And that the said Rents from time to time shall be Improved for no other use than the Repairs of the said Building, unless by Direction from this Court.

Sent up for Concurrence.

A Petition of *Benj. Swain* Bricklayer, presented to the House & Read, praying, That he may be allowed, the Sum of *l.* 37 13 *s.* 8 *d.* for Clothing, and other necessities, he lost when his Chest was wash'd over-board in his Voyage to *Winter Harbour* Fort, whether he was going to repair the same. And the Question being put, *Whether the said Petition be Committed?* It pass'd in the Negative.

And the Question being put, *Whether the Prayer of the said Petition be Granted?* It pass'd in the Negative.

A Report of *John Wheelwright*, Esq; for Directing the Settlement of *Cape Porpus*. Sent down from the Board, pass'd on there, *viz.* In Council *May* 29th 1719. Read and accepted, and Voted, that the Town of *Cape Porpus* be from henceforth called by the name of *Arundel*. Sent down for Concurrence.

Read and Non-Concurr'd.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati, 30. Die Maii, 1719. A. M.

AN Accompt of *Joseph Hammond* Treasurer of the County of *York* from *April* 1st 1718. to *April* 1st 1719. Presented to the House and Read, And Ordered, That the said Accompt be allowed. Sent up for Concurrence.

An Accompt of *Daniel Russel* Treasurer of the County of *Middlesex*, from *May* 1717. to *Decemb.* 9th 1718. Presented to the House and Read.

Ordered, That the said Accompt be allowed. Sent up for Concurrence.

An Accompt of *Nathaniel Pain* Treasurer of the County of *Bristol*, Presented to the House & Read.

Ordered, That the said Accompt be allowed. Sent up for Concurrence.

Samuel Gookin, Esq; Sheriff of the County of *Middlesex*, in Obedience to the Order of this House, made his appearance, And Acquainted the House how it happened that the Precept to *Newton* was no sooner Returned. And then was directed to withdraw.

Resolved, That the said Sheriff has fail'd of his Duty, in that he neither Returned the said Precept, nor gave an Account of the neglect, which he charged the Select Men of the said Town with, in not returning the Precept to him, in due time as the Precept directs.

Journal of the House of Representatives 119

Ordered, That the said Select-Men attend this House on *Thursday* next to answer to the complaint the said Sheriff has made of their neglect aforesaid, & that the said Sheriff attend at the same time. The said Sheriff was called in & the said Votes were Read no him, & then he withdrew.

Ordered, That the Votes of this House be Printed Twice a Week, and that the Representatives of *Boston* be desired to take care to have it done.

A Petition of *John Yeats*, *Nathaniel Gould*, *Judah Rogers*, *John Hard*, *Samuel Mayo*, *Stephen Cole* and *John Rogers*, presented to the House & Read, praying that they may be set off from the Town of *Harwich*, and annexed to the Town of *Eastham*, for reasons alledged in the Petition.

Ordered, That the Petitioners serve the Town of *Harwich* with a Copy of this Petition, That they may be heard before this Court on the first Friday of the Session in Autumn next, if they have any thing to object why the prayer thereof should not be Granted. Sent up for Concurrence.

A Petition of *Joseph Prince* Presented to the House & Read, praying that *Nathan Wicket* an Indian, may have liberty to Sell or Exchange with him, an Island belonging to him, lying off the Town of *Rochester* for reasons offered in the Petition. Committed.

And then the House Adjourn'd till Tuesday next Nine a Clock in the Morning.

VOTES of the House of Representatives.

April, 2. Die Junii, 1719. A. D.

According to the Order of the Day the Report of the Committee for Proportioning the several Towns of this Province to a Tax of *l.* 1000 made and passed at the Session of this Court in *November* last, was further considered. And the Sum apportioned to each Town, Read and Voted, distinctly and separately, each Member being first allowed opportunity to set forth the present Condition and Circumstances of the Town he Represents. And the whole was passed through without any Alteration.

Ordered, That the Town of *Brookfield* (not heretofore Rated,) Pay in the Tax to be raised this Session, in the Proportion of Twenty Shillings in a Thousand Pounds.

Ordered, That the Town of *Littleton*, pay in the like Proportion, in the Tax to be raised this Session.

Ordered, That the Town of *Worcester*, pay in the like Proportion in the Tax to be raised this Session.

Ordered, That the Town of *Falmouth*, pay in the Tax to be raised this Session in the Proportion of Ten Shillings in a Thousand Pounds.

Ordered, That the Town of *Biddiford* pay in the like Proportion in the Tax to be raised this Session.

Ordered, That the Town of *Sunderland* pay in the like Proportion in the Tax to be raised this Session.

Ordered, That the Sum of Four Pounds Ten Shillings, now Voted to be paid by the Six Towns aforementioned, not heretofore Rated, which is so much above *l.* 1000 on the whole be abated, and taken off from the several other Towns, in just proportion to the Sum that each Town pays, so as to reduce the whole to the exact Sum of *l.* 1000, and that Mr. *Lothrop*, Mr. *Church* and Mr. *Cawley* be a Committee to Perform the same.

Mr. Treasurer *Allen* was admitted into the House and presented his Accompts and the present State of the Treasury was Read, and he withdrew.

The Treasurer's Accompts of his Receipts and Payments in the Year past, Read and

Ordered, That Mr. *Clark*, Capt. *Chambers*, Capt. *Gardner*, Mr. *Little*, and Mr. *Hedge* be a Committee to examine and audit the said Accompts, and make Report to the House.

Whereas it appears by the Treasurers Accompts that little more than *l.* 7000 of the *l.* 15000 of the Bills of Publick Credit, Signed with three Hands only, for the Exchanging whereof Provision was made at the last Fall Session, are brought in and Exchanged. And it being complained that there is a considerable Sum of the said Bills in diverse Hands, which are of no use to them, and they are desirous to Exchange.

Ordered, That the Treasurer be impowered and directed, to Exchange the said Bills for and during the space of three Months next coming, and no longer, and that the said Bills be accepted and taken in all Publick Payments for and during the space of Six Months next coming, and no longer. Sent up for Concurrence.

A Memorial of *Zechariah Tuthill* Victualler of His Majesty's Castle *William*, Presented to the House and Read, shewing, That he is in Advance, *l. 42 18 s.* more than the allowance granted him by this Court in *June* last for that Service, by means of the high price of Provisions, praying, that he may be paid the said Sum, and be allowed Six Shillings *per Man per Week* for Victualling the said Garrison for the Year ensuing. Committed.

A Petition of *John Braddick* of *Long-Island*, in the Government of *New-York*, Presented to the House and Read, Praying, That a Recognizance which he with *John Cutler* Physician entred into of *l. 50* each, for his the said *Braddick's* appearance before the Court of General Sessions of the Peace, to be held at *Boston* in *July* last, and was continued to the last Tuesday in *November*, and then declared Forfeited, by his default of Appearance, may be saved (inasmuch as he was hindered from attending by the Providence of God) upon his Appearance at the next Court of General Sessions of the Peace, to be holden in *Boston* in *July* next.

Committed.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii, 3. Die Junii, 1719. A. M.

A Petition of *Jacob Tompson* Representative of the Town of *Middleborough*, in behalf of *Samuel Richmond* and 18 others of the said Town, upon whose Petition a Hearing was Granted before this Court, the 12th of *November* last, to be attended the 2d Tuesday of this Session, but by an Error in taking out Copies of the Papers there has been a failure in the Notification of the adverse Party, presented to the House and Read, praying, That a further Day may be appointed for the said Hearing.

Ordered, That the prayer of the Petition be Granted, and that a Hearing be attended on the said Petition, the 16th Day of *June* Currant, if the Court continues sitting so long, and if not on the First Friday of the Session in Autumn next, and that the Petitioners take due care timely to notify the adverse Party.

Sent up for Concurrence.

A Petition of *John Turner, Jacob Manning, Philip English* and *William Pickering* a Committee appointed by the Inhabitants of the Eastern part of *Salem*, Presented to the House and Read, praying, That a larger Precinct for upholding the Publick Worship of GOD, may be Granted and set off to them, than the said Town has set off to them, or that the Ministers of each Congregation may be supported by a General Rate of the Two Parishes. [6]

Ordered, That the Petitioners serve the first Parish in the Town of *Salem* with a Copy of this Petition, in order to a Hearing being had thereon before this Court on the 12th Day of *June* Currant, unless the Parties concerned shall agree and com-promise the matters in Difference before that time.

Sent up for Concurrence.

Charles Frost, Esq; brought down the following Vote from the Board, *viz.* Voted, That the Honourable *Samuel Patridge*, *John Otis*, *John Wheelwright*, *Thomas Fitch*, and *Edmund Quincey*, Esqrs; be a Committee to join with such as the Honourable House of Representatives shall appoint, to consider what may be proper to be done to encourage the Husbandry of this Province.

Sent down for Concurrence.

Read and Concurr'd, and

Ordered, That *William Dudley* Esq; Capt. *William Throop*, Mr. *Samuel Balch*, *Francis Fullam* Esq; Capt. *Matthew Whipple*, Maj *Thomas Tilestone*, and *Isaac Little* Esq; be joyn'd on the said Affair.

A Petition of *John Penchon* Esq; of *Springfield*, presented to the House and Read, praying, That he may have Liberty to take up and lay out 500 Acres of Land to fulfill a Grant made to his late Father *John Penchon* Esq; by the General Court in *May* 1666, for several Services by him done for the Publick.

A Petition of *Gurdon Saltonstall* Esq; which was referred to this Session, the 1st of *Decemb.* last. Read,

And the Question being but, *Whether the prayer of the Petition be Granted?*

It pass'd in the Negative.

A Report of *Henry Somersby*, *Henry Clark*, and *Jonathan Wade*, a Committee appointed by this Court at their Session in *May* last to run the Line between the Towns of *Wells* and *Berwick*, presented to the House and Read.

Ordered, That the said Report be accepted so far as relates to the Settlement of the Line between *Wells*, and *Berwick*. Sent up for Concurrence.

Ordered, That the Committee appointed by this Court to Direct and Regulate the Settlement of the Town of *Worcester*, be fully Impowred and Directed to Apportion, Assess and Levy the Sum that shall be ordered by this Court to be paid by the said Town, in the Tax, that shall be Made this Session.

Sent up for Concurrence.

A Memorial of *William Dummer* Commander of His Majesty's Castle *William*, Recommending to the Publick Charity, *James Marshall*, who for Twenty Years past, has been in the Service as a Souldier at Castle *William*, and elsewhere, but is now Disabled by Age, and has not wherewithal to Support himself.

Sent down from the Board, Read and Recommended.

Ordered, That the said *Marshall* be Return'd to the Castle, and there Maintained at the Publick Charge. Sent up for Concurrence.

3. *Post Meridiem.*

According to the Order of the Day appointing a Hearing upon the Petition of *Thomas Newhall, Joseph Lynde, &c. of Malden*, the Parties concerned were admitted into the House. The said Petition and the Answer of the Adverse Party thereunto Read: And both Parties having been fully heard, were Directed to withdraw. And Mr. *Wilson* who was return'd Representative of the said Town was Directed to withdraw.

Resolved, That Mr. *Jacob Wilson* Returned Representative of the Town of *Malden* is duly Elected, and ought to sit as a Member of this House.

The said Member was accordingly called in, and took his Place in the House.

The following Report sent down from the Board, *viz.* In Obedience to an Order of the General Court, The Committee are of Opinion, that forthwith a proper Survey be made of the Land, from *Northfield* to *Merimake* River, where *Sobego-River*, falls into the same or thereabouts in order to Settle a defensible Line of Towns in a regular Manner, if the Land will admit of it, which will reduce the Frontier of this Province, on that side to about Forty Miles, which is now thought to be One Hundred and Forty, and consequently will be of great advantage to the Province in case of a Rupture, with the Indians, and an enlargement of the Husbandry. Sign'd *per* Order of the Committee,

In Council, *June 3d, 1719.*

William Tailer.

Read and Accepted. Sent down for Concurrence.

Read and Concurr'd, and

Ordered. That *John Stoddard* Esq; Capt. *John Shipley*, and *Francis Fullam* Esq; be a Committee to take care to have the Survey above-mentioned perform'd: Improving a Skilful Surveyor, and Chain-men to effect the same, and make Report of their Doings to this Court at their Session in Autumn next.

Sent up for Concurrence.

The Trustees for the *l. 50000* Loan of Bills of Publick Credit, were admitted into the House, and Presented an Accompt of their Proceedings in that Trust the Year past, and withdrew.

The Petition of *John Turner, &c. of Salem*, on which a Vote was pass'd and sent up this day. Sent down from the Board, pass'd upon as follows, *viz.* In Council, *June 3d. 1719.* Read & Concurr'd with the Amendment. Sent down for Concurrence, the Amendment being in room of the words [on the 12th Day of *June* Current] the Second Friday of the Sessions of this Court in Autumn next]

Read and Concurr'd.

A Petition of *Scauoweese* an Eastern Indian, Praying, That he may be paid Ten Pounds, or a Horse of that value, which Capt. *John Lane* deceased agreed to Pay him as part of the Ransom of an English Captive but died before he perform'd it.

124 Journal of the House of Representatives

Sent down from the Board having been Read there.

And the Question being put, *Whether the prayer of the Petition be Granted?*

It pass'd in the Negative.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

BOSTON : Printed & Sold by B. Green. 1719. [7]

VOTES

Of the House of Representatives.

Jobis, 4. Die Junii. 1719 A. M.

THe Precept that was sent to *Hingham* for their choosing a person or persons to Represent them in this House Return'd, and Mr. *Lazarus Beal* chosen their Representative: Who made his appearance; and was sent up to the Board, to be qualified by taking the Oaths, &c.

A Plat of 33 Acres of Land, laid out for *John Higginson Esq*; by *John Gardner* Surveyer, pursuant to an Order of this Court the 6th of *Feb.* 1717. Presented to the House for Confirmation.

A Petition of *John Barker, Benj. Stevens & Robert Swan*, presented to the House and Read, praying that the Confirmation of the said Plat may be Deferred until the fall Session, when they will shew forth that the said Plat Intranches upon Printer *Green's* Farm, which they have purchased.

Ordered, That the consideration of the said Plat be referred to the next Fall Sessions, and that the Petitioners attend this House the first Tuesday of the Session with the Original Plat of Printer *Green's* Farm, that was taken by Capt. *Jonathan Danforth*, deceas'd.

Ordered, That leave be given to Capt. *Noyes* to bring in a Bill to prevent wrong being done to the Province by such as are allowed to take Plats of Land to satisfy Grants.

A Vote for Survey to be Taken of *Merrimake River*, as high as *Sohegan River*, sent down from the Board for Concurrence.

According to the Order of the Day the Select-men of *Newton*, and Mr. Sheriff *Gookin* attended the House. And the Select-men made their Excuse, for not seasonably Returning to the Sheriff, the Precept for choosing a Representative: And they with the Sheriff were ordered to withdraw.

Ordered, That the said Select-men be called in again, and that Mr. Speaker Reprove them for their neglect which they acknowledge, in not taking effectual care for the seasonable Return of the said Precept: Which was done and they were dismiss.

Ordered, That Mr. Sheriff *Gookin* be called in, and Reproved by Mr. Speaker for his failing of his Duty, relating to the said Precept as exprest in the Vote of this House on Saturday last: Which was done accordingly, and the said Sheriff dismiss.

Mr. *Lothrop* from the Committee appointed, Return'd a List of the several Towns of the Province, and the Sum Voted to be paid by each of them in a Tax of *l.* 1000. adjusted according to the order of the House, which was Read.

Post Meridiem.

The Accompts of *Addington Davenport*, *Thomas Hutchinson*, *John White* and *Edward Hutchinson* Trustees for the *l. 50000* Loan of Bills of Publick Credit, Inspected by the House, whereby it appears that in the Year past, they have received the Sum of *l. 5005, 00 10*. Principal, and *l. 841. 3. 3*. Interest.

Ordered, That the Committee appointed to Examine the Treasurers Accompts be a Committee to Examine, and Audit the said Trustees Accompts, and make report to the House.

Mr. Cooke from the Committee for Petitions, made report on the Memorial of *Zechariah Tuthill*, committed the 2d currant, which was accepted by the House and accordingly,

Resolved, That the Sum of Forty-two Pounds, eighteen Shillings be allowed & paid out of the Publick Treasury to *Capt. Zechariah Tuthill*, to Reimburse him what he has been in advance for Victualling the Garrison at *Castle William* the Year past.

And in Consideration of the excessive Price of all sorts of Provisions, that he be allowed Six Shillings *per Man, per Week* for Subsisting the Garrison at the said Castle the Year ensuing. Sent up for Concurrence.

The following Vote sent down from the Board, *viz.* In Council, *June 4th. 1719*. Whereas the Time appointed by Law for the sitting of the Inferiour Court of Common Pleas, and General Sessions of the Peace in, and for the County of *Middlesex*, will be the next Week, and many of the Members of the said Court, and others concerned [8] are likewise Members of this Court; so that the Publick Service would be obstructed by the sitting of the said Court, of Common Pleas at the said time.

Voted, That his Excellency the Governour be Desired, to Direct the Justices of the said Court of Common Pleas, &c. to adjourn the said Court, to the first Tuesday in *July* next. Sent down for Concurrence.

Read and Concurr'd.

A Petition of *Daniel Waldo*, presented to the House and Read, Shewing that he with *John Kidder*, hired 200 Acres of Land of the Town of *Dorchester*, for 150 Years, and that the said Petitioner had purchased said *Kidders* Right in the said Lease, and Built and made considerable Improvement for 16 Years, but by the late running of the Colonies line, the said Land falls within the late Colony of *New-Plymouth*, and is Recovered in the Law from him by *Thomas Snell*, *John Howard* and *Ephraim Howard* of *Bridgewater*, altho' they have no Right to it, whereby he is utterly ruin'd. Praying Relief. Committed.

A Petition of *Thomas Church* in the behalf of the Heirs of *Capt. John Allen* late of *Charlestown*, deceased, which was referr'd to this Session the 2d of *December* last. Read.

A Petition of *John Bell*, who was one of the Guard lately posted in the Publick Service at *Northfield*, and accidentally Wounded when he was Hunting, the cure whereof cost near *l. 40*. Presented to the House and Read, Praying that it may be paid out of the Publick Treasury.

And the Question being put, *Whether the prayer of the said Petition be Granted?*

It pass'd in the Negative.

A Petition of Capt. *John Billings* of *Dorchester*, presented to the House and Read, praying Allowance towards the support of *Thomas Ouconeoung* an old, blind Indian, that received the hurt which occasioned his blindness in the Publick Service, or that he may be discharged from taking care of the said Indian.

Resolved, That the Sum of Six Pounds be allowed and paid out of the Publick Treasury to Capt. *John Billings* the Petitioner, to be Improved according to his best Discretion, for the relief and support of *Thomas Ouconeoung*, the blind Indian mentioned in the Petition. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 5. Die Junii, 1719. A. M.

A Paper of Proposals for the Publick Good Presented by the Representatives of the Town of *Boston*, pursuant to the Instructions from the said Town.
Read.

Mr. *Clark* from the Committee appointed to Examine the Treasurers Accompts, made Report that they had attended and gone thro' that Service, and find them right cast and well avought in every Article.

The Accompts of Mr. *Jeremiah Allen* Treasurer and Receiver General of this Province, beginning the 28th Day of *May* 1718. and continued unto the 30th Day of *May* 1719. amounting to the Sum of Fifty four Thousand one Hundred and seventeen Pounds nineteen Shillings and two Pence, having been presented and laid before the House of Representatives and inspected by the said House, by which it appears there was standing out on the said 30th Day of *May*, Three Thousand two Hundred Thirty seven Pounds eighteen Shillings & three pence of the Taxes. Thirteen Thousand, four Hundred seventy one Pounds, two Shillings & three pence neet Province Bills, and Two Thousand nine Hundred forty five Pounds five Shillings and two Pence with the five *per* Cent advanced thereon in the Treasury, and further to be accounted for.

Voted, That the said Accompts in the several Articles, of Receipts and Payments therein mentioned, amounting to the Sum of Thirty four Thousand three Hundred and sixteen Pounds, eight Shillings and three Pence be and are hereby allowed of, and the said Treasurer is hereby Discharged of the said Sum of Thirty four Thousand three Hundred and sixteen Pounds eight Shillings and three pence.

Sent up for Concurrence.

A Report of *John Wheelwright, Esq*; appointed by this Court to direct the Settlement of *Cape Porpus* in a defensible manner, shewing how he had directed and regulated the said Settlement. Sent down from the Board, pass'd on there *viz.* In Council *June 5th 1719.* Read & accepted. And Voted that the name of the Town on *Cape Porpus* be *Arundel.* Sent down for Concurrence.

A Memorial of *John Wheelwright, Joseph Hammond, Charles Frost, Abraham Prebble, Joseph Hill, Samuel Plaisted, Humphry Scammon* and *William Scales*, Members of this Court, belonging to the County of *York*, acknowledging the great Service land Encouragement that the Eastern Settlements have had, by the Marching Company of Soldiers sent into those [9] Parts this Spring, praying, That they may be inforced with the Addition of Thirty more, and continued out till the end of the next Fall Sessions, and be directed to assist the Towns of *Falmouth, Scarborough, Biddiford* and *Cape Porpus*, in making in each of them a place of Safety, for the Inhabitants to retire to in case of Danger.

Post Meridiem.

A Bill Intituled, *An Act for Granting to His Majesty, several Rates and Duties of Impost and Tunnage of Shipping.* Read a first time

Voted, That Three Thousand Pounds only, of the Sixteen Thousand Pounds, Granted in the Years 1713, 1715 and 1716. be Levied and Collected this present Year.

And that the Duties of Impost, and Tunnage of Shipping, and Excise, together with the Income of the Bills lent out, and the Light-House be a Fund and Security for the drawing in of the remaining Thirteen Thousand Pounds.

Sent up for Concurrence.

A Petition of *Andrew Faneuil*, praying, That he may be exempted from the Penalty of the Law, for covering Houses in the Town of *Boston*, with Slate or Tile as to His Dwelling-House in the said Town, for reasons alledged in the Petition. Sent down from the Board pass'd on there *viz.* Read and Ordered, That the Prayer of this Petition be Granted, and that the Petitioner have leave to bring in a Bill accordingly. Sent down for Concurrence. Read & Concurr'd.

A Petition of *Adam Cogswell* of *Ipswich*, Presented to the House & Read, Praying, This Court to Explain and make certain the sense and meaning of two Laws mentioned in the Petition, for reasons therein alledged.

A Bill Intituled, *An Act in further Addition to an Act for Erecting a Powder-House in Boston.* Read a first time.

A Report of *Samuel Thaxter* and *John Chandler*, of the Committee appointed by this Government, *Samuel Wilkinson*, and *John Mumford* of the Committee appointed by the Government of *Rhode-Island*, for the Settling the East and West Line, between the said Governments, shewing how they have run, stated and set-

tled the said Line, pursuant and conformable to an agreement of the major part of the Committees of both the said Governments, made at *Rehoboth* the 22d Day of *October* last, under their Hands and Seals. Sent down from the Board, pass'd on there *viz.* In Council, *June* 5th 1719. Read and accepted.

Sent down for Concurrence. Read & Concurred.

An Accompt of the Charge of the Committee of this Government in settling the said Lines. Sign'd *Nathanael Pain*, amounting to the Sum of Twenty four Pounds eleven Shillings, presented to the House for Payment. Read and

Resolved, That the Sum of Twenty four Pounds eleven Shillings be allowed and paid out of the Publick Treasury to the Hon. *Nathaniel Pain*, Esq; to Discharge the said Accompt. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 6. Die Junii, 1719. A. D.

MR. *Cooke* from the Committee for Petitions made report to the House on the following Petitions. *Viz.*

On the Petition of *Joseph Prince*, praying as entred the 30th of *May* last, and the Report was accepted by the House. And accordingly

Ordered, That the Petition be dismiss.

On the Petition of *John Braddick*, Praying as entered the 2d Currant, and the Report was accepted by the House, And accordingly

It appearing that the Petitioner *John Braddick* was prevented giving his attendance at the Court of Sessions, by the Providence of God, and he having Recognized anew.

Ordered, That the Prayer of the Petition be Granted.

Sent up for Concurrence.

And on the Petition of *Daniel Waldo* Praying, as entred the 4th Currant, and the Report was accepted by the House with some addition. And accordingly

Ordered, That the Hon. *Samuel Thaxter*, Esq; and Capt. *Jacob Tompson* be a Committee to go upon the Place, and measure the Land which *Thomas Snell*, *John* and *Ephraim Howard* claim as purchased of *Peregrine White* for Two Hundred Acres, and Report the quantity thereof to this Court, giving timely notice to said *Snell* and *Howards*, of the time of their proceeding to do the same; and also to the Town of *Bridgewater*, that they may be present when it is done, if they see cause.

And that they inquire and inform themselves, what Land there is near the said Place, which belongs neither to the Town of *Dorchester* nor *Bridgewater*, but the Province, and make Report thereof. Sent up for Concurrence. [10]

A Bill Intituled, *An Act for Granting to His Majesty, several Rates and Duties of Impost, and Tunnage of Shipping.* Read 2d time, and pass'd to be Ingross'd.

Sent up for Concurrence.

An Account Signed by *Abraham Prebble* in the Name and behalf of himself and the other Commissioners Intrusted to Let out the Proportion of the *l.* 100000. Bills of Publick Credit that belong'd to the County of *York*, Read. Shewing their proceedings in that Trust to the 13th of *May*, 1719.

A Letter from Mr. Agent *Dummer* to Mr. Speaker *Burrit*, to be Communicated to the Court, Dated *April* 10th 1719, Brought into the House and Read, and several other Papers that came inclosed therein.

A Message from the Board by *John Clark* and *Jonathan Belcher* Esqrs; That if the House have any Advice from Mr. Agent *Dummer*, They desire it may be sent up.

The said Letter and Papers inclosed sent up by Mr. *Lindall*.

Ordered, That Capt. *Noyes*, Mr. *Lindall*, Mr. *Clark*, and Capt. *Chambers* be a Committee to Inspect and Examine the Secretary and Treasurers Books, and compare the Sum of the Grants of Funds for Bringing in of the Bills of Publick Credit, emitted by this Government in Publick Payments, with the Sum of such Bills as remain outstanding, and make report to the House how they find the same.

And then the House Adjourn'd till Monday next two a clock in the afternoon.

VOTES

Of the House of Representatives.

June 8. Die Junii 1719.

A Bill Intituled, *An Act in further Addition to an Act for Erecting a Powder-House in Boston.* Read a 2 d time.

The Vote of the Board on the Report of *John Wheelwright* Esq; for regulating the Settlement of *Cape Porpus* entred the 5th Currant.

Read again, and pass'd a Concurrence.

The Vote of the Board for Taking a Survey of *Merrimake River*, which was Read the 4th Currant. Read again and Non-Concurr'd.

A Petition of the Select-men of the Town of *Lynn*, presented to the House and Read, praying, That Order may be taken that they may not be burthened with the charge of one *Thomas Crook*, a sick, wounded Sailor, put a Shoar at *Casco-Bay* the last Year by one Capt. *Richards*, Commander of the Ship Three Anns, and from thence Travelling till he came to *Lynn*, but was not able to proceed any further, and was there entertain'd and cur'd. The Surgeons Bill for his Cure being *l. 4 2 s.* and the charge of his Entertainment *l. 5 2 6.* the whole *l. 9 4 s. 6 d.*

Resolved, That the Sum of Nine Pounds four Shillings and six Pence be allowed and paid out of the Publick Treasury to Mr. Speaker *Burrill* to discharge the said Accompts. Sent up for Concurrence.

The Vote of this House on the Petition of *Daniel Waldo*, pass'd the 6th Currant, Sent down from the Broad, Concurr'd with an Amendment added thereto, *viz.* The charge thereof to be born as this Court shall direct, when the report shall be made. Sent down for Concurrence. Read and Concurr'd.

The Vote of this House pass'd the 4th of *November* last, on the Petition of the Town of *Hatfield*, not having been pass'd upon by the Board.

Ordered, That the Petitioners serve the Town of *Northampton* with a Copy of this their Petition, that they may be heard thereon before this Court, on the 2 d Tuesday of the next Fall Session, if they have any thing to object why the prayer thereof should not be Granted. Sent up for Concurrence.

A Petition of *Anthony Austin* of Suffield, presented to the House and Read, praying, That this Court will Exchange Five Acres of Land with him, part of a Tract of 100 Acres reserved in the said Town, for the Province in the Laying out the same, for reasons rendred in the Petition, Committed.

A Petition of *John Austin* in behalf of the Town of *Suffield*, presented to the House and Read, praying that 400 Acres of Land, reserved to the Province in the laying out of the said Town may be Granted to them, for reasons alledg'd in the Petition. Committed.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 9 Die Junii, 1719. A. M.

THE Petition of *Thomas Church* in behalf of the Heirs of Capt. *John Allen* of *Charlestown*, which was Read the 4th Currant. Read again, and

Ordered, That leave be given to the Heirs of Capt. *John Allen*, deceased, to lay out a Thousand Acres of Land, in one or two places, by a Surveyer and Chain-men under Oath in proper figure, and present a Plat or Plats thereof to this Court for Confirmation, to fulfill the Grant made to said Capt. *John Allen*, Octob. 14th. 1668. If the said Grant has not been already taken up: The Land to be laid out, not to be part of any, for which Petition is made to make a Township of. Sent up for Concurrence.

The Bill, for Granting to His Majesty several Rates and Duties of Impost, &c. And an additional Instruction of His Majesty King *GEORGE*, relating to the Passing of Bills, which was Read in the House the 10th of *June* last, were brought down from the Board by *Samuel Sewall*, *Addington Davenport*, and *Paul Dudley Esqrs*; with a Message, That this House being many of them such as were not here the last Court, His Excel- [12] lency and Council thought it proper, the said Instruction, should be read in the House, and have it's Consideration in their Enacting the aforesaid Bill.

The said Instruction Read.

And the Question being put, *Whether the House will Reconsider the said Bill?*

It pass'd in the Negative.

The said Instruction and Bill sent up again to the Board by Mr. *Cooke*, Mr. *Noyes*, and Mr. *Lindall*, with a Message that the Question had been put in the House, *Whether the said Bill be Reconsidered?* And it pass'd in the Negative.

An Accompt of *William Basset*, *Joseph Lothrop* and *Ebenezer Lewes*, Three of the Commissioners for Letting out the Proportion of the *l. 100000.* of Bills of Publick Credit belonging to the County of *Barnstable*, and *Dukes County*, presented to the House and Read,

Ordered, That Mr. *Lindall*, Mr. *Clark*, and Capt. *Foye*, be a Committee, to whom the several Accompts of the Commissioners for the Letting out the *l. 100000.* of Bills of Publick Credit are referred; That they Examine and Cast the same, and Report what they think proper to be done upon them.

An Accompt of *Samuel Checkley* Treasurer of the County of *Suffolk*, presented to the House and Read.

Resolved, That the said Accompt be allowed. Sent up for Concurrence.

A Letter from Capt. *Grey*, Commander of Fort *Mary* at *Winter Harbour*, to his Excellency the Governour, Dated *June 1.* 1719. Sent down from the Board. Read.

A Journal of *Lewis Bane*, Commander of the Company of Souldiers, in the Eastern Parts. Sent down from the Board and Read.

The Memorial of *John Wheelwright, &c.* praying as entred the 5th Currant.

Read again, and the Question being put, *Whether the Sixty Men in the Service in the Eastern Frontiers be continued out any longer then till the end of this Session, the time they were first sent out for?* It pass'd in the Negative.

And the Question being put, *Whether any Number of Men be Continued as a Marching Force in the Eastern Frontiers longer than till the end of this Session?*

It pass'd in the Negative.

A Bill Intituled, *An Act for the altering the time for the Setting of the Court of General Sessions of the Peace, and Court of Common Pleas in the County of Dukes County.* Read a first time.

A Petition of *Anne Andrews*, Widow of *John Andrews*. and five others, praying as entred the 2 d of last *December*, and then referred to this Session,

Read, and

Ordered, That the Petitioners serve the adverse Party with a Copy of this Petition, that a Hearing may be had thereon before this Court, if they have any thing to object why the prayer thereof may not be Granted on the 2 d Thursday of the Session thereof in Autumn next. Sent up for Concurrence.

A Petition of *Thomas Wells* of *Deerfield*, presented to the House and Read, praying, That the Heirs of his late Father *Thomas Wells*, deceased, may enjoy the Lands which the said deceased was Owner of, and built and dwelt upon in the Town of *Northfield*, but was driven off by the then Indian Enemy, which the Committee for Setling the said Town will not permit them. Committed.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii, 10. Die Junii, 1719. A. M.

A Promissory Note of *Thomas Tarbol*, Dated *Albany June 5th 1714.* engaging to Pay to *Charles Luykas* or Order, 28 Shillings for Value received of him, when he was going to *Canada* to procure some English Captives there. Presented to the House for Payment. Read and

Resolved, That the Sum of Thirty Shillings be allowed and paid out of the Publick Treasury, to Mr. *Ephraim Wendall* to Discharge the said Note.

Sent up for Concurrence.

A Petition of *Jonathan Dodson* and 42 others, Inhabitants of the Town of *Freetown*, Presented to the House & Read, praying, That a conditional choice of Mr. *Thomas Craighead*, to be Minister of that Town, and an Order of the Court of General Sessions for the Peace for the County of *Bristol*, appointing his Salary, may be made and declared null and void. And that such of the Inhabitants of the said Town as continue under confine- [13] ment for not paying their Tax towards the maintenance of said Mr. *Craighead*, may be set at Liberty for reasons set forth in the Petition.

Ordered, That the Petitioners serve the adverse Party with a Copy of the said Petition, that a Hearing may be had thereon before this Court, on Tuesday the 18th Currant. Sent up for Concurrence.

Mr. *Clark* from the Committee to whom the Accompts of the Trustees for the 150000 Loan of Bills of Publick Credit referred for Examination &c. Reported, That they had performed that Service, and find the said Accompts right cast and well avoucht.

Resolved, That the said Accompts be accepted and approved, and that the Trustees the Accomptants be discharged accordingly. Sent up for Concurrence.

A Petition of *James M' Gregor*, *James M' Keen*, and *James Gregg*, shewing, That they with diverse others lately arrived from *Ireland*, are settled upon a Tract of Land, lying about 14 Miles Norwest from *Haverhill* Meeting House called *Nutfield*, and praying, That if upon settling the Line between this Government and the Government of *New-Hampshire*, the said Tract of Land, shall fall within this Province, it may be quietly enjoyed by them.

And the Question being put, *Whether the prayer of the Petition be Granted?*

It pass'd in the Negative.

A Bill Intituled, *An Act for the Relief of Andrew Faneuil Merchant, against the Presentment of the Grand Jury to the Court of General Sessions of the Peace, Holden for the County of Suffolk, on the first Tuesday of April last, for not Slating the Roof of his Dwelling-House in Boston.* Pass'd at the Board to be Engrost, and Sent down for Concurrence. Read.

A Petition of *Jonathan Jackson* of *Scituate*, Presented to the House and Read, praying Consideration and Relief from this Court, being disabled from Labour to support himself, by wounds he received in the Service against the Indian Enemy in *Philip's War*.

Resolved, That a Pension of Four Pounds *per Annum*, be allowed and paid out of the Publick Treasury to *Jonathan Jackson*, the Petitioner during his natural Life for his Relief. Sent up for Concurrence.

The Vote of this House on the Petition of *Jonathan Dodson*, pass'd this Day, Sent down from the Board, Concurr'd with an Amendment, *viz.* instead of the words [the adverse Party] to insert the words, [*Mr. Thomas Craghead, Joseph Read, and Thomas Terrey*, formerly Select-Men of *Freetown*,]

Sent down for Concurrence. Read & Concurr'd.

A Petition of *Andrew Faneuil* of *Boston* Merchant, presented to the House & Read, praying, That he may be paid the Sum of 260 *l.* 10 *s.* part of 1444 *l.* 15 *s.* which he advanced, *per Order* of the Government for the fitting of the Province Galley, for the Publick Service *Anno*, 1711, this Government having paid him, 1184 *l.* 5 *s.* of the said Sum, *Anno* 1713. but did not then see cause to pay him any more. Committed.

Post Meridiem.

A Petition of *Thomas James of Hingham* and *Patience* his Wife, presented to the House & Read, shewing, That *William Farrow* late of *Hingham*, the Petitioner *Patience* her former Husband, Bargained for a Tract of Land, with *David Jacobs* of *Scituate*, and Paid *l. 10* part of the purchase consideration, and Died before he had a Deed of conveyance for the same. That the said Petitioner *Patience* consented, that her Brother *John Tore*, should take a Deed of the same, equally to him and her, paying half the purchase consideration, but he took the same wholly to himself, which he said on his Death Bed, that he did to secure the whole to the Petitioner *Patience*, her Daughter by her late Husband *Farrow*, but died before any reconveyance was made, and the said Petitioner is now wholly deprived of her Interest therein. Praying Relief.

A Bill Intituled, *An Act for the Relief of Andrew Faneuil Merchant, against the Presentment of the Grand Jury to the Court of General Sessions of the Peace, Holden for the County of Suffolk, on the first Tuesday of April last, for not Slating the Roof of his Dwelling-House in Boston.* Read a 2d & 3d time, and Non-Concurr'd.

A Message to the Board by Mr. *Clark* and Capt. *Gardner*, desiring that Mr. Agent *Dummer's* last Letter may be sent down, and to inquire what is done upon the Resolve of this House relating to the Tax, and upon the Impost Bill.

A Bill Intituled, *An Act for altering the time for the Setting of the Court of General Sessions of the Peace, and Court of Common Pleas in the County of Dukes County.*

Read a 2d & 3d time, and pass'd to be Engrost.

Sent up for Concurrence.

A Petition of *Pelataiah Glover* in behalf and by order of the Committee for *Brimfield*, presented to the House & Read, praying, An Addition of 3 Miles of Land may be Granted to said Town. [14]

That the Grant made to Major General *Wait Winthrop*, adjoining to the said Town may be removed further Eastward.

That the Line between the said Town and the Town of *Brookfield* may be run and settled.

And that the Time limited for settling the said Town of *Brimfield* may be enlarged.

Mr. Agent *Dummer's* last Letter brought down from the Board, and Read.

Ordered, That *William Dudley* and *Elisha Cooke*, Esqrs; Mr. *Timothy Lindal*, *John Stoddard* and *Charles Chambers*, Esqrs; with such as the Honourable Board shall Nominate, be a Committee to prepare and lay before this Court a Draught of a Letter in answer to Mr. Agent *Dummer's* last Letter, and upon such other heads as they think needful at this time. Sent up for Concurrence.

Upon a Motion being made,

Ordered, That Mr. *Cooke*, Capt. *Noyes* and Mr. *Coffin* be a Committee to pre-

136 Journal of the House of Representatives

pare and lay before the House, a Draught of a Vote for asserting the Right of this Province in *Piscataqua* River, and to prevent the heavy Duties which the Government of *New Hampshire* exact from the Vessels belonging to this Government, Trading on that side of the said River, which belongs to this Province.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

B O S T O N : Printed & Sold by B. Green. 1719. [15]

VOTES

Of the House of Representatives.

Jobis 11. Die Junii. 1719. A. M.

AN Engrost Bill Intituled, *An Act for the Altering the time for the Sitting of the Court of General Sessions of the Peace, and Court of Common Pleas, in the County of Dukes County.* Read and

Resolved, That the Bill do pass to be Enacted.

The Vote of this House Pass'd Yesterday, for a Committee to answer Mr. Agent *Dummers* last Letter Brought down from the Board by *John Appleton* Esq; with a Message Proposing that the Vote may be for answering his two last Letters.

Mr. Agent *Dummers* Letter Dated *Sept. 12. 1718.* Read and

Ordered, That the said Vote be Altered by inserting in the room of the words [last Letter] the words [two last Letters, excepting such Articles in them as may relate to allowing of Money.] And the said Vote was sent up again.

Post Meridiem.

A Petition of *Hopestill Brown, Josiah Hayden*, and 22 others Inhabitants of the West part of the Town of *Sudbury*, Praying as Entered the 12 of *Feb. 1717.*

Read and Committed.

A Petition of *Edmund Rice, Thomas Frink*, and 39 others Inhabitants in the East part of the Town of *Sudbury*, Praying as Entered the 30th of *May, 1718.*

Read and Committed.

Capt. *Noyes*, from the Committee appointed to Compare the Bills of Publick Credit outstanding with the Funds laid for the bringing them in, Reported that they had attended that service, and find the Sum of the Bills outstanding (which have been emitted in Publick Payment, including the 5 *per Cent*, as they are to be paid in) to be the Sum of *l. 68543* and the Sum of the Funds to call them in to be *l. 69590* So that the Funds exceed the Bills outstanding the Sum of *l. 1007* which is the just Ballance at this time, which was accepted by the House.

A Petition of *Israel Town and Ebenezer Learned*, Select-men of the Town of *Oxford*, presented to the House and Read, praying that a strip of Land, containing between 2 or 3000 Acres, lying contiguous to the said Town may be Granted to them.

And the Question being put, *Whether the prayer of the Petition be Granted?*

It pass'd in the Negative.

Ordered, That Col. *Dudley* be desired to take a Plat of the said Land, and lay it before this House at their Sessions in the next Autumn, with some account of the

Quality of the Land, and that in the mean time no Grant be taken up in the said Tract.

A Petition of *Savil Simpson*, presented to the House and Read, praying, That he may be set off, from the Town of *Hopkinton*, and belong to the Town of *Framingham*, for reasons therein alleg'd.

Ordered, That the prayer of the said Petition, be so far Granted, that the Petitioner and his Farm, shall belong to *Framingham* for the present, and until this Court shall order otherwise. Sent up for Concurrence.

Addington Davenport, and *Edmund Quincey Esqrs*; brought down the Vote of this House pass'd Yesterday for a Committee to prepare a Draught of a Letter to Mr. Agent *Dummer*; pass'd upon there, as follows, *viz.* In Council, *June 11th 1719*. Read and Concurr'd with this Order excepting the following words, *viz.* excepting such Articles in them as relate to allowing of Money.

Voted, That the House Insist on their Vote aforesaid, without the said Amendment.

Ordered, That a Message be sent up to his Excellency the Governour by Capt. *Throop*, Mr. *John Barker*, and Mr. *Little*, requesting him to Direct the Judges of the Inferiour Court of Common Pleas, and Justices of General Sessions of the Peace, of the County of *Plymouth* to Adjourn the said Courts to a further Day, several of the Members of the said Courts belonging to this.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [16]

Veneris, 12. Die Junii, 1719. A. M.

A Bill Intituled, *An Act for Altering the Time for the Sitting of the Court of General Sessions of the Peace and Inferiour Court of Common Pleas, within, and for the County of Essex, in the Month of March*, Pass'd at the Board to be Engrostr. Sent down for Concurrence.

Read twice, and pass'd a Concurrence.

A Petition of *Nathaniel Goodhue*, and *Thomas Choate*, on behalf of the Precinct of *Chebacco* in the Town of *Ipswich*, presented to the House and Read, praying, That a Hearing may be Granted to them, in order to their having *Thomas Knowlton*, *Jeremiah Buckman*, and *Knights Farm*, returned again to the said Precinct from the *Hamlet* Precinct, and that the Ancient Line first given to the said Precinct of *Chebacco* by the Town of *Ipswich* may be re-establish'd, or that all the Lands lying within the said Line may be ordered to pay to the Ministerial charge there.

Ordered, That the Petitioners serve the Town of *Ipswich*, and the *Hamlet* Precinct with a Copy of their Petition, that they may be heard thereon, before this Court on the 3d Wednesday of the Session in the next Autumn.

Sent up for Concurrence.

A Petition of *Mercy Shepard* of *Dorchester*, Widow, presented to the House and Read, praying, That Eight Pounds may be Granted to her for a Five Pound, and Two Thirty Shilling Bills of Credit of this Province, that were burnt in and with her House the 19th Day of *April* last. In answer to the said Petition:

Resolved, That the Sum of Eight Pounds be allowed and paid out of the Publick Treasury to *Mercy Shepard* the Petitioner. Sent up for Concurrence.

An Accompt of *Barthol. Green* of Paper and Printing done for the Publick since the 25th of *June* last, amounting to the Sum of *l. 43 3 s. 1 d.* Presented to the House for Allowance.

Resolved, That the Sum of Forty three Pounds, three Shillings and a Penny be allowed and paid out of the Publick Treasury to *Barthol Green* the Accomptant to discharge the said Accompt. Sent up for Concurrence.

Ordered, That the Representatives of the Town of *Boston* be desired and impowred to Bargain, and Agree by the Great, for the Printing, to be done for the Government for the Year ensuing.

A Bill Intituled, *An Act for the Punishing and Preventing of Duelling*: Pass'd to be Engrost at the Board. Sent down for Concurrence. Read.

Mr. *Cooke* from the Committee for Petitions made Report, on the Petition of *Antony Austin*, that was Committed the 8th Currant, which was accepted by the House, and accordingly,

Ordered, That the prayer of the Petition be Granted, and *Luke Hitchcock* and *John Ashley* Esqrs; be impowred to make and Execute Instruments for the said Exchange, taking care, that it be just and equal: The Petitioner to be at the charge thereof. Sent up for Concurrence.

The Petition of *John Austin*, praying as entred the 8th Currant. Read again, and the Report of the Committee thereon, which was accepted by the House, and accordingly,

Ordered, That the said Petition be Dismist.

A Petition of *Samuel Hayward*, *John Marsh*, and 15 others Dwellers on a Tract of Land belonging to the Town of *Dedham*, but very remote from it, lying contiguous to the Towns of *Wrentham*, *Attleborough*, *Mendon*, and *Sherbourn*, presented to the House and Read, praying, That the said Land with a Farm adjoining to it, and a Corner of the Town of *Mendon*, may be Constituted a Township.

The Bill for Granting several Duties of Impost, &c. was brought down from the Board, by *Samuel Sewall*, *Nathaniel Byfield*, *John Cushing*, *Edmund Quincey*, *Thomas Fitch* and *Jonathan Belcher* Esqrs; and they proposed several Amendments thereto.

They brought down also the Vote of this House for *l. 3000* only to be Levied this Year, and intimated that the Grants in the Years 1713, 1715, & 1716. referred to in the said Vote, had laid the whole *l. 1600* to be Raised this Year, upon

Polls and Estates, without mentioning the Impost and Excise, unless for *l.* 1000 thereof.

Ordered, That the Bill for Impost be Insisted on, as first sent up, and that a Message be sent up accordingly by Capt. *Noyes*, Capt. *Chambers*, Mr. *Clark*, Capt. *Throop*, Mr. *Coffin*, Capt. *Foy*, Maj. *Tilestone*, Mr. *Haynes*, Capt. *Prebble*, and Mr. *Lothrop*.

Ordered, That the Vote of this House pass'd the 15th Currant, for Levying *l.* 3000. only this Year, be insisted on, and that a Message be sent up accordingly: which was done by the Members last mentioned. [17]

Post Meridiem.

A Petition of *John Pynchon*, Esq; of *Springfield*, Presented to the House & Read, praying liberty to lay out 500 Acres of Land, to fulfill a Grant made to Capt. *John Pynchon* his late Father by the General Court *May* 23d 1666.

Ordered, That the said Petition be referred to the Session of this Court in the next Autumn for further consideration.

His Excellency the Governor's Speech Read again.

Ordered, That Mr. *Cooke* and Capt. *Fullam* be a Committee to bring in a Bill, in addition to the Act Intituled, *An Act in further Addition to an Act Intituled, An Act for making Lands and Tenements liable to the Payment of Debts*.

Mr. *Lindall* from the Committee to examin the Accompts of the Commissioners of each County for letting out the *l.* 100000 Loan of Bills of Publick Credit, which end the 13th Day of *February* 1717. made report on each of the said Accompts separately. *Viz.*

On the Accompts of the Commissioners for the County of *Suffolk* and *Nantucket*, which was accepted by the House. And accordingly

Resolved, That the said Accompts be accepted and approved, and that the Commissioners the Accomptants be Discharged accordingly.

Sent up for Concurrence.

On the Accompts of the Commissioners for the County of *Essex*, which was accepted by the House. And accordingly

Resolved, That the said Accompts be accepted and approved, and that the Commissioners the Accomptants be Discharged accordingly, saving that the Sums of Forty four Pounds nineteen Shillings and ten Pence, charged for extraordinary Expences; and Four Pounds part of the Sum charge for Book-Keeping are not allowed; but the said Commissioners are to Accompt for and pay the same to the Treasurer.

Sent up for Concurrence.

On the Accompts of the Commissioners of the County of *Middlesex*, which was accepted by the House. And accordingly

Resolved, That the said Accompts be accepted and approved, and that the

Commissioners the Accomptants be discharged accordingly, saving that the Sum of Ten Pounds charged for Expences is not allowed; but the said Commissioners are to Accompt for and pay the same to the Treasurer. Sent up for Concurrence.

On the Accompts of the Commissioners for the County of *Plymouth*, which was accepted by the House. And accordingly

Resolved, That the said Accompts be accepted and approved, and that the Commissioners the Accomptants be Discharged accordingly, saving that the Sums of Ten Pounds charged for fetching the Bills from *Boston*, and Twenty four Shillings for a Chest are not allowed; but the said Commissioners are to Accompt for, and pay the same to the Treasurer. Sent up for Concurrence.

On the Accompts of the Commissioners for the County of *Bristol*, which was accepted by the House. And accordingly

Resolved, That the said Accompts be accepted and approved, and that the Commissioners the Accomptants be discharged accordingly, saving that the Sum of Twelve Pounds and Ten Shillings charged for fetching the Bills from *Boston*, Three Pounds overcharged for Book-Keeping, and Sixteen Shillings for a Chest are not allowed; but the said Commissioners are to Accompt for, and Pay the same to the Treasurer. Sent up for Concurrence.

On the Accompts of the Commissioners of *Barnstable* and *Dukes-County*, which was accepted by the House. And accordingly

Resolved, That the said Accompts be accepted and approved, and that the Commissioners the Accomptants be discharged accordingly.

Sent up for Concurrence.

An Engrost Bill Intituled, *An Act for the altering the Time of the Sitting of the Court of General Sessions of the Peace and Inferiour Court of Common Pleas within and for the County of Essex, in the Month of March.* Read and

Resolved, That the Bill do pass to be Enacted.

A Bill Intituled, *An Act to prevent causless Arrests, and in Addition to an Act for regulating Fees.* Read a first time.

The Petition of *Thomas Wells*, Committed the 9th Currant, further considered, and the Report of the Committee thereon, which was accepted by the House. And accordingly

Ordered, That the said Petition be Dismist.

Nathaniel Byfield and *John Cushing*, Esqrs; brought down from the Board a Report of a [18] Committee of both Houses, for Encouraging the Husbandry of the Province. Sign'd, *Samuel Patridge*, per Order of the Committee, pass'd upon there, viz. In Council, *June 12th 1719.* Read & accepted.

Sent down for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 13. Die Junii, 1719. A. M.

THE Precept that was sent to the Town of *Kittery*, for their choosing a Person, or Persons to Represent them in this House, Returned, and Mr. *Elihu Gunnison*, chosen their Representative, who made his appearance, and was sent up to the Board to be qualified by taking the Oaths, &c.

The Report of the Committee of both Houses, for encouraging the Husbandry, Read again, and the Vote of the Board thereon for its acceptance.

Non-Concur'd.

A Petition of *R. Auchmuty*, in behalf of several Inhabitants of the Town of *Freetown*, now in His Majesty's Goal in *Bristol*, praying, That they may have liberty to be present at the hearing before this Court, granted the 10th Currant, on the Petition of *Jonathan Dodson* and 41 others, upon giving sufficient Security to Indemnify the Sheriff in case of any Escape. Sent down from the Board, pass'd on there, viz. *June 13th 1719*. Read & Ordered, That the Prayer of this Petition be Granted.

Sent down for Concurrence.

A Report of *John Chandler* in behalf of the Committee appointed *May 1718*. to run the Line between the Town of *Sutton*, and the Indian Plantation called *Has-sanamisco*. Sent down from the Board, pass'd on there, viz. In Council *June 9th 1719*. Read & accepted.

Sent down for Concurrence.

A Petition of *George Misco* and nine other Indians, presented to the House & Read, praying that they may not be deprived of any part of that Tract of Land formerly reserved, set out, and bounded them by the Government for their Plantation.

A Petition of *George Misco*, *Moses Printer* and *Amy Printer*, Jun. presented to the House & Read, praying, That the said Report may not be accepted, inasmuch as it Intrrenches upon the Indian Plantation of *Hassanamisco*, and takes away part of their Improvements.

And the Question being put, *Whether the House Concur in accepting the said Report?*

It pass'd in the Negative.

A Bill Intituled, *An Act for the punishing and preventing of Duelling*. Read a 2d time and Committed.

The following Vote sent down from the Board by *Addington Davenport*, *Paul Dudley* and *Samuel Thaxter* Esqrs; viz. In Council *June 13th 1719*. Voted, That a Conference be desired with the Honourable House of Representatives, on the Subject matter of the Impost Bill, the Vote for a Tax for this present Year, and the Vote for answering the Agents two last Letters, to be had on Tuesday next, at Ten a Clock in the Morning.

Journal of the House of Representatives 143

Sent down for Concurrence. Read & Non Concurr'd, and sent up again by Mr. *Cooke*, Capt. *Noyes*, Mr. *Tay*, Mr. *Clark*, Capt. *Throop*, Col. *Buckminster* and Mr. *Hitchcock*.

And then the House Adjourn'd till Monday next Three a Clock Afternoon.

B O S T O N : Printed & Sold by B. Green. 1719. [19]

VOTES

Of the House of Representatives.

Junæ 15. Die Junii 1719.

A Bill Intituled, *An Act to prevent Causeless Arrests, and in addition to an Act for Regulating Fees.* Read a 2 d time and Committed.

A Bill Intituled, *An Act for the Punishing & Preventing of Duelling.* Read a 3d time and pass'd a Concurrence: That it be Engross'd with Amendments. Sent up.

A Letter from Capt. *Lewis Bane* to his Excellency the Governour, dated *Casco Bay, June 8th. 1719.* giving account of the Insolent Behaviour of some of the Indians there, was brought down from the Board by *William Tailer*, and *John Clark* Esqrs; with a Message desiring the House to Reconsider the Memorial of *John Wheelwright* Esq; and sundry other Members of this Court, praying as entrent the 5th Currant.

Ordered, That the said Memorial be Reconsidered.

And the Question being put, *Whether the Sixty Men now in the Service in the Eastern Frontiers be continued till the next Fall Session?*

It pass'd in the Negative. Upon a Motion being made:

Ordered, That the Bill Intituled, *An Act for granting to His Majesty several Duties of Impost, &c.* be sent down from the Board, and Capt. *Cawley*, and Capt. *Gardner* were sent for the same. Who returned, That it would be sent down. The said Bill brought down by *Edward Bromfield* Esq;

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis, 16. Die Junii, 1719. A. M.

THE Bill Intituled, *An Act for Granting unto His Majesty several Rates & Duties of Impost and Tunnage of Shipping*, further considered, and

Ordered, That all the British Vessels be Exempted from the Duty of Tunnage in the said Bill.

A Message to the Board by Col. *Dudley* and Capt. *Throop*, That the House desire their Vote pass'd the 5th Currant for Levying *l. 3000* only this Year may be sent down.

John Clark Esq; brought down the said Vote.

Ordered, That the said Vote be Reconsidered.

Whereas, this House have Voted that the Vessels belonging to Great Britain shall be Exempted from the Duty of Tunnage, in the Bill Intituled, *An Act for Granting unto His Majesty several Rates and Duties of Impost and Tunnage of Shipping*, whereby the Sum Raised by the said Act will be Lessened.

Voted, That Four Thousand Pounds of the *l.* 16000, Granted in the Years 1713, 1715. and 1716, be Raised by a Tax on Polls and Estates this present Year, and no more.

And that the Duties of Impost & Tunnage of Shipping, and Excise, together with the income of the Bills, Lent out, and the Light-house, be a Fund and Security for the Drawing in the remaining Twelve Thousand Pounds.

Sent up for Concurrence.

An Engrost Bill Intituled, *An Act for the Punishing, and Preventing of Duelling.*

Read and Resolved, That the Bill do pass to be Enacted.

A Memorial of *John Wheelwright, Joseph Hammond, Charles Frost, Abraham Prebble, Samuel Plaisted, Joseph Hill* and *Elihu Gunnison*, of the County of York, presented to the House & Read, proposing that a Number of Souldiers in the Publick pay may be Posted at the New Settlements forming in the Eastern Parts to Encourage and Protect them from the Insults of the Indians.

In Answer to the said Memorial:

Voted, That his Excellency the Governour be Requested, to Direct that Forty suitable Men be Inlisted Volunteers for the said Service, and that Ten Shillings *per* Man be allowed out of the Publick Treasury to encourage their Inlisting.

That Fifteen of the said Men be Posted at the Town of *Falmouth*, Ten at *Scarborough*, Ten at *Arundel*, and Five at *North Yarmouth*, and be continued to the end of *October* next; That none of the Inhabitants be allowed to be in Pay as Sentinels.

And that his Excellency the Governour be further humbly Requested to Direct the [19] Government of *New-Hampshire* to Raise, and Maintain their full *Quota* of Men, with those of this Province, for the Protection, and Encouragement of the Eastern Settlements, which will be of common advantage to these Governments. Sent up for Concurrence.

Upon a Motion being made:

Voted, That Seven Men in the Publick Pay be allowed for the Covering of the Settlement at *Northfield* till the end of *October* next. Sent up for Concurrence.

Samuel Sewall, Nathaniel Byfield, Edmund Quincey and *Paul Dudley Esqrs*; brought down the Bill for Granting to His Majesty several Rates and Duties of Impost and Tunnage of Shipping, and proposed to the House, That the Duty of one *per Cent.* laid therein upon the value of Sterl. of English Goods may be Abated.

That a Clause in the said Bill, which says one Penny *per* Gallon on Rhum and other Distill'd Spirits may be Explain'd.

That it may be Express'd in the said Bill, what Part of the *l.* 16000, to be raised this Year, the Duties of Impost were made a Fund for.

And that the Vessels of *New-Hampshire*, may be Exempted from the Duty of Tunnage in the said Bill as well as the Vessels of other Neighbouring Governments.

Ordered, That the Articles in the said Bill laying a *Peny per* Gallon on Rhum and other Spirits Distill'd here, be Eras'd out of the said Bill; And that a separate Bill be prepared laying a Duty on Rhum and other Spirits distill'd here.

And that Maj. *Stoddard*, Capt. *Fullam*, & Mr. *Cooke* be a Committee to prepare such Bill.

Ordered, That Col. *Dudley*, Capt. *Noyes*, Maj. *Tilestone*, Capt. *Chambers*, Mr. *Pierce*, Capt. *Cawley* and Mr. *Lathrop*, be a Committee to go to *Castle William*, take a view of the works there, and Report the Progress therein, and how the same are carried on.

Post Meridiem.

The Report of the Committee for Running the Line between the Town of *Sutton* and *Hassanamisco*, pass'd upon here the 13th Currant. Sent down from the Board with the following Vote, *viz.* In Council, *June* 15th. 1719. In Consideration of the Indian Petitions, praying, That the Report of the Line between *Sutton*, and *Hassanamisco*, run by Maj. *Chandler* and others, in *Decemb.* last, may not be accepted.

Ordered, That *Samuel Thaxter* Esq; with such Persons as shall be appointed by the Honourable House of Representatives, be a Committee to run the said Line anew in order to a final Settlement thereof. And to the end the Indians may have no manner of wrong done them; That the Committee have the first, and old Plat for their Information, and also Notify the Indian Proprietors of *Hassanamisco*, especially those that Complain of the said Line, and any other Persons that can give any Information thereof, and in case the said Complaints against the said Line run as aforesaid, be found unreasonable and vexatious, that the charge of Running the Line anew, be not laid upon the Proprietors of *Sutton*, that the said work be attended, as soon as may be, and Report thereof be made to this Court. Sent down for Concurrence.

Read and Concurr'd, and *William Dudley* Esq; is joyn'd in the Affair

A Petition of *Samuel Weldron*, *Joseph Atwood* and *Nathan Welker*, Select-men of the Town of *Dighton*, presented to the House & Read, praying, That an Act of this Court may be pass'd to Constitute & Confirm the said Town-ship, agreeable to a Plat now presented.

A Petition of *Isaac Hethaway* and 20 others Inhabitants of the said Town of *Dighton*, presented to the House & Read, praying, That if an Act be passed for Constituting the said Township, That a Proviso be made that it shall not obstruct their becoming a distinct Town or Precinct in time convenient.

The Vote of this House, pass'd the 10th Currant for a Committee to answer Mr. Agent *Dummers* two last Letters. Sent down from the Board, pass'd upon there, *viz.* *June* 16th. 1719. Read and Concurr'd with an Amendment, and

Voted That *John Clark, Thomas Hutchinson, Thomas Fitch, Edmund Quincey, and Jonathan Belcher, Esqrs*; be joyned with the Committee of the House on the said Affair. Sent down for Concurrence. The Amendment being, that in stead of the words, [excepting such Articles in them as relate to Allowing of Money] should be inserted the words, [Saving that the Clauses in the said Letters relating to Money have only a general answer to this purpose, That this Court will no doubt have a seasonable, and proper Consideration of them.

Read and Non-Concurr'd.

A Message from the Board by Mr. Secretary *Willard*, That there is a Hearing appointed to be this Day on a Petition of *Jacob Tompson*, in behalf of *Samuel Richmond*, and several others, Inhabitants of the Town of *Middleborough*, which was ordered [21] the 3 d Currant. And that his Excellency Desires the House now to come up to attend the same.

Mr. Speaker, and the House went up accordingly, and when the Parties had been fully heard, returned again to their own Chamber.

A Bill Intituled, *An Act for the Relieving a great Number of the Inhabitants of the Town of Boston, lying under a Presentment to the General Sessions of the Peace for the County of Suffolk, for not Slating or Tiling their Houses*; having been pass'd at the Board to be Engross'd. Sent down for Concurrence. Read a first time

The following Report and Vote of the Council thereon brought down, viz.

In Obedience to the Order within mentioned, we the Committee appointed to inspect and Examin, the Accompts of the Commissioners of Impost have at several times very particularly examined the Books of Accompts of the said Impost Commissioner, together with the particular Entries of the Merchants, to whom the Imported Goods were consigned, and the Manifests of Masters of Vessels, Importing the same, and we find that the said Manifests and Entries are on File in the Impost Office, sworn to by the respective Merchants and Masters, That they are right and exactly entered in the Books, the Duties paid according to Law, the Accompts fairly stated and kept, and well and truly cast, and by the Books, the Province Credit to the 25th of *May* last, is for

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Impost,	3131	5	11
Powder-Money.	398	5	7
Light house Money,	57	5	3
	3586	16	9

Boston, June 16th 1719.

*Jonathan Belcher
Edward Hutchinson
Joseph Wadsworth.*

In Council *June 16th 1719.* Read & accepted.

Sent down for Concurrence. Read & Concurr'd.

Ordered, That a Message be sent up to the Board to proceed to the choice of a Treasurer, Commissioner of Impost and Attorney General to Morrow Morning.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 17. Die Junii. 1719. A. M.

A Message sent up to the Board by Mr. *Coffin* and Capt. *Throop*, That the House Propose now to proceed to the choice of a Treasurer, Impost Officer and Attorney-General, if they are ready to attend it.

Whereas it is very apparent that this Province is of late Years greatly reduced in their Estates, and Impoverisht, which has been in a great Measure occasioned, by extravagancies, in Apparel and other things.

Ordered, That Mr. *Tay*, Maj. *Stoddard*, Capt. *Fullam*, Col. *Dudley*, Mr. *Foster* and Mr. *John Barker*, be a Committee to consider and prepare a Bill to restrain and prevent such Extravagancies.

A Message from the Board by *Jonathan Belcher*, Esq; That there being no Bill of Impost as yet pass'd in the Court, it is thought not proper to proceed to the choice of an Impost-Officer.

A Message from the Board by *Joseph Hammond*, Esq; moving the House to propose what Officers they desire should be appointed to take the care and Government of the 40 Men, Voted Yesterday to be Posted in the Eastern Frontiers.

Ordered, That a Message be sent up that His Excellency the Governour be Requested to commit the Government of the said Men to a Captain and two Serjeants.

The Petition of *Jacob Tompson* in behalf of Sundry Inhabitants of the Town of *Middleborough*, upon which there was a Hearing Yesterday, brought down from the Board, pass'd upon there, viz. In Council June 16th 1719. A Hearing being had on this Petition, Voted, That the Tract of Land being part of *Middleborough* and *Taunton*, Surveyed and Platted by Capt. *Tompson*, be and hereby is Erected into, and Granted to be a Precinct, with all the Powers and Privileges by Law belonging to a Precinct, and that the Honourable *John Cushing* and *Samuel Thaxter*, Esqrs; together with such Persons as shall be appointed by the Honourable House of Representatives, be a Committee to fix and determine the place for the Meeting House, and that the said Precinct do forthwith proceed to build their Meeting-House, and settle an Orthodox Minister. Sent down for Concurrence.

Read and Concurr'd with this Amendment, to be inserted next after the Words: belonging to a Precinct viz. excepting the Land belonging to some of the Proprietors of *Freetown*, and the Land belonging to the Indians called *Keetticut*. And that after the Expiration of 15 Years this Court have consideration, whether that part of *Taunton*, that [22] lies within the said Plat, shall continue to belong to the said Precinct. And Mr. *Samuel Seaberry*, Capt. *William Throop* and Mr. *Zechariah Bicknel* be joined in the Affair.

Mr. *Cooke* Presented to the House a Narrative of the proceedings of this Court upon his Memorial, that was before them the two last Years, desiring that effectual care may be taken that neither this House nor he, may any longer lie

under the causless Imputations of Mr. *Bridger*, and that Mr. Agent *Dummer*, be furnished with Copies of that case, to lay before their Lordships the Commissioners of Trade & Plantations. Which was Read, and

Ordered, That Capt. *Noyes*, Mr. *Lindal* and Capt. *Throop* be a Committee to prepare and lay before the House a Representation of the case mentioned in the said Narrative, in order to be transmitted to Mr. Agent *Dummer* for the Vindication of this House in their proceedings therein.

Samuel Sewall, Benjamin Lynde, Addington Davenport, Edmund Quincey, and Paul Dudley, Esqrs; brought down the Impost Bill, pass'd upon in Council, viz.

Read & Concurr'd. Exempting the Duty of one *per* Cent on English Goods. Sent down for Concurrence.

And they intimated that the Board was of Opinion that the said Article Interfer'd with His Majesty's late Instruction to his Excellency the Governour.

Read and Non-Concurred. And the Bill insisted on, as last sent up.

Sent up again by Capt. *Chambers* and Capt. *Gardner* with a Message to inquire whether any thing is further done on the Vote of this House for answering the Agents Letters, and if not to desire the said Letters and Vote may be sent down.

A Bill Intituled, *An Act for the Relieving a great Number of the Inhabitants of the Town of Boston, lying under a Presentment to the General Sessions of the Peace for the County of Suffolk, for not Slating or Tiling their Houses*. Read a 2d and 3d time, and pass'd a Concurrence. with an Amendment.

An Accompt of *Luke Vardy* for the Charge of Dining the House of Representatives on the last Day of Election of Counsellors amounting to the Sum of *l. 22 14 s. 6 d.* presented to the House for Allowance and payment. Read and

Resolved, That the Sum of Twenty two Pounds fourteen Shillings and six Pence be allowed and paid out of the Publick Treasury to *Luke Vardy* the Accomptant, to Discharge the said Accompt. Sent up for Concurrence.

Penn Townsend, Esq; brought down Mr. Agent *Dummers* two last Letters, and the Vote for a Committee to answer them.

Ordered, That *William Dudley* and *Elisha Cooke*, Esqrs; Mr. *Timothy Lindal*, *John Stoddard*, *Charles Chambers* and *Oliver Noyes*, Esqrs; with such as the Honourable Board shall appoint, be a Committee to prepare and lay before this Court a Draught of a Humble Address to His Majesty upon such Heads as they shall think needful at this time to be humbly offered by this Court, and that it be done with all convenient Expedition. Sent up for Concurrence.

Ordered, That *William Dudley* and *Elisha Cooke*, Esqrs; Mr. *Timothy Lindal*, *John Stoddard*, *Charles Chambers* and *Oliver Noyes*, Esqrs; with such as the Honourable Board shall appoint, be a Committee to prepare and lay before this Court a draught of such Instructions as they apprehend proper now to be given by this Court to Mr. Agent *Dummer*, and that it be proceeded in as expeditiously as may be. Sent up for Concurrence.

A Petition of *John Marion* and 37 others, Cordwainers in the Town of *Boston*, presented to the House & Read, praying, That a Law may be made prohibiting the Exportation of Sole Leather, and the killing of Calves before they are a Month old, for reasons therein mentioned.

Ordered, That the Petitioners have leave to bring in a Bill accordingly.

The Petition of *Thomas* and *Patience James*, praying as entered the 10th Current, Read again and sent up to the Board to be there first pass'd upon.

A Petition of *Jared Tolbut*, of *Dighton*, presented to the House & Read, praying, That he may be enabled to bring forward two actions of Review against *Nicholas Morey* of *Freetown*, before the next Superiour Court at *Bristol* in *September* next, wherein he is now Barred. And that no Execution may be Levyed on him in the aforesaid causes, until such Tryal. Sent up to the Board, to be there pass'd on first.

The Impost Bill sent down from the Board by *Nathaniel Pain*, and *Addington Davenport*, Esqrs; Pass'd upon, *viz.* the Board adhere to their Exception, and the following Vote, *viz.* In Council *June* 17th 1719. Voted That a Conference be desired with the Honourable House of Representatives on the subject matter of the Duty laid on English Goods, in the Impost Bill to be attended as soon as may be. Sent down for Concurrence. Read & Concurr'd.

The Conference to be to Morrow Morning. Sent up.

Ordered, That Mr. *Clark*, Col *Dudley*, Capt. *Chambers*, Capt. *Fullam*, Maj. *Stoddard* and Capt. *Noyes* be managers of the Conference, and that every other Member of the House has liberty to assist in the said Conference, if they see meet.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

VOTES of the House of Representatives.

Jobis 18. Die Junii 1719. A. M.

A Petition of *Francis Foxcroft* of *Cambridge* Merchant, shewing, That the late Colony of the *Massachusetts-Bay*, gave to his Father-in-law *Thomas Danforth*, Esq; deceased an Island in *Casco Bay* called *Chebisco Dego*, in consideration of sundry good Services, and the said *Danforth* conveyed the same to him. But that *Oliver Noyes*, Esq; and his Associates, Trespass and make great spoil and waste and have built upon the said Island, praying, That he the Petitioner may have leave to vouch in this Court to defend that their said Grant, and that this Court will order the Attorney General to defend the same. Sent down from the Board, having been Read there. Read.

Ordered, That the said Petition be sent up again for the Board to pass thereon first.

A Message from the Board by Mr. Secretary *Willard*, That they are ready to attend the Conference of both Houses appointed Yesterday, relating to a clause in the Impost Act, if this House are ready to come up.

Mr. Speaker and the House went up accordingly. And after a considerable time spent therein return'd to their own Chamber.

Post Meridiem.

A Petition of *Samuel Bill* of *Boston* Victualler, presented to the House & Read praying, further allowance for damage he sustained on his Island called *Spectacle Island*, by several Vessels Companies of Persons Infected with the Small Pox, being sent thither by the Government, before the Pest House was Built there.

A Message from the Board by Mr. Secretary *Willard*, That the House now come up to attend the Hearing appointed the 10th Currant to be this Day, on the Petition of *Jonathan Dodson* and 42 others, Inhabitants of the Town of *Freetown*.

Mr. Speaker and the House went up accordingly.

And when the Parties had been fully heard, return'd again to their own Chamber.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Ueneris 19. Die Junii. 1719. A. M.

A Message to the Board by Mr. *Lindal* to inquire whether they had pass'd any thing further upon the Impost Bill, and if not to desire it may be sent down.

Who return'd that nothing further was pass'd thereon, and it should be sent down.

A Message to the Board by Capt. *Noyes* and Mr. *Clark*, That this House desire to see the Minutes of the Councils Advice to his Excellency the Governour relating to the Duty of one *per Cent*, on English Goods in the Impost Bill, which was referred to, in the Conference Yesterday. Who return'd that the Council said they had no such Entry in their Books, and that they were misunderstood in that matter.

Addington Davenport, Esq; *Thomas Hutchinson*, Esq; and Mr. Secretary *Willard*, brought down a Report of a Committee of the Council upon the Impost Bill, which Mr. Secretary Read, and they intimated that the Council had accepted the said Report, and thereby had signified their Minds, in the affair aforesaid, which was what was referred to in the said Conference.

Nathaniel Byfield, Esq; brought down the Impost Bill, which was further considered. And

Voted, That the word [English] in the Second Page be changed into [European] and that the Bill so amended be adhered to, for that if His Majesty's late Instruction to His Excellency the Governour was intirely agreeable to the liberties and Privileges, granted in the Royal Charter, yet this House are of Opinion that the Direction therein respecting the passing any Act, which may any ways affect the Trade or Shipping of *Great Britain* was not intended, to be so extensive as to Prohibit this Government from laying a reasonable Duty on European Goods. Sent up for Concurrence.

The Petition of *Samuel Bill*, praying as entred Yesterday. Read again.

And the Question being put, *Whether the Petition be Committed?* It pass'd in the Negative.

And the Question being put, *Whether any thing be Granted on the said Petition?*

It pass'd in the Negative.

The Petition of *John Pierce & John Flagg*, in behalf of the Town of *Woburn*, praying as entred the 11th of *Novemb.* last, Read again.

The Petition of *John Higginson* and 80 others, praying, as entred the 11th of *Feb.* 1717. Read and the Report of the Committee thereon that was sent by this Court in answer to the said Petition to view the Land Petitioned for, and

Ordered, That the Report of said Committee, Dated *March 27.* 1718. Sign'd *William Tailer* hereto annexed be accepted; and that *Francis Fullam*, Esq; Capt. *John Shipley*, and Mr. *Benjamin Whittemore*, be a Committee to lay out as soon as may be, the said Township, from the South- [24] west Corner of *Grotton* Line, to run Six Miles Northerly upon *Grotton* West Line, then to turn upon a right Angle and run Westerly, so far as that upon a Return to meet the Southerly Line of said Township, It will make the Quantity of Six Miles Square exclusive of *Woburn* Grant, and that the said Committee be Impowred, to Grant out Lots to the Petitioners, or others that they think proper upon Condition that they bring forward a Settlement on their respective Lots within the space of Three Years

next after their Lots are laid out to them, and Continue to dwell on them at least Three Years. They paying the Committee the charge of laying out the same. And the said Committee are to take care, It be Setled in a defensible manner, reserving a Conveniency of Land for the Ministry & Schools. And that the Land bordering Northerly between that and *Dunstable*, be kept clear from being taken up by Private Grants. Sent up for Concurrence.

The Petition of *Jonathan Dodson, &c. of Freetown* on which a Hearing was had Yesterday before both Houses. Sent down from the Board, pass'd on there, *viz.* In Council, *June* 19th. 1719. A Hearing having been had Yesterday on this Petition. Ordered, That the prayer thereof be not Granted.

Sent down for Concurrence. Read and Concurr'd.

The Petition of *Thomas James of Hingham*, and *Patience* his Wife, praying as entred the 10th Currant. Sent down from the Board, pass'd upon there, *viz.* In Council *June* 19th. 1719. Read and Ordered, That a Hearing be had on this Petition, on the 2 d Tuesday of the next Fall Sessions, unless the Parties do accommodate their Differences before that time, and that the Petitioners serve the adverse Party, with a Copy of this Petition and Order. Sent down for Concurrence.

Read and Concurr'd.

The Petition of *Jared Tolbut*, praying as Entred the 17th Currant. Sent down from the Board, pass'd on there, *viz.* In Council *June* 19th. 1719. Read & Ordered, That the prayer of this Petition be Granted, the Petitioners giving seasonable Notice to the adverse Party. Sent down for Concurrence. Read & Concurr'd.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 20. Die Junii, 1719. A. M.

IN Consideration of the Dearness of Provisions:

Resolved, That the Keepers of His Majesty's Goals within the several Counteis of this Province shall be, and hereby are allowed, Three Shillings and Eight Pence a Man *per* Week, for Dieting of Prisoners from the first of *April*, to the last of *October*, and Four Shillings, and Eight Pence *per* Week from the first day of *November* to the last Day of *March* for Dieting and sufficient firing, for the Two Years next coming, and no longer. Sent up for Concurrence.

A Memorial of *William Tailer, Adam Winthrop, William Dudley, Thomas How*, and *John Ballantine jun.* of the Committee of *Worcester*, presented to the House and Read, praying, That the said Town may be Exempted from Taxes for some longer time, for reasons alledged in the Petition.

A Petition of *Prudence Cleasby* Wife, and *Ezekiel Cleasby jun.* Son of *Ezekiel Cleasby* of *Boston*, praying, That they may be enabled to make Sale of a House and Land, belonging to the said *Ezekiel Cleasby* in *Boston*, for the necessary Support of him and his Family, who lies bed-rid, and *Non compos mentis*. Sent down

from the Board, pass'd upon there, *viz.* In Council *June 12th.* 1719. Read and Ordered, That the Prayer of this Petition be Granted.

Sent down for Concurrence. Read and Concurr'd.

A Plat of 300 Acres of Land laid out upon Ware River by *Timothy Dwight* Surveyor and Chain-men under Oath, to satisfy a Grant made by this Court to *John Shelden*, the 26th Day of *November* 1707. Presented to the House for Confirmation.

Resolved, That the Land Protracted and Delineated in the said Plat, be Granted and Confirmed to the said *John Shelden*, and his Heirs, Provided, That it contain no more than 300 Acres, and Intrinch upon no former Grant.

Sent up for Concurrence.

A Memorial of *Benj. Lynde*, in behalf of himself and the other Commissioners for the *l.* 100000 Loan of Bills of Credit, presented to the House and Read, Shewing reason and moving, That the Sum of *l.* 48 19 10. that was excepted against in the House, when their Accompts were passed this Session: May be allowed.

And the Question being Put, *Whether any thing be Granted in answer to the said Memorial?* It pass'd in the Negative.

A Petition of *Samuel Banister* of *Boston*, Merchant; praying that he may be enabled to have a New Trial of Two Actions between him and *James Corbing* of *Woodstock*, wherein he suffers great wrong, and is shut up in the Law. Sent down from the Board, pass'd on there, *viz.* In Council *June 19th.* 1719. Read and Ordered, That a Hearing be had on this Petition, on the 2 d Wednesday of the next Fall Sessions, and that the Petitioner serve the adverse party with a Copy of this Petition, and Order thereon. Sent down for Concurrence.

Read and Concurr'd.

A Petition of *Peletiah. Glover*, praying as entred the 10th Currant.

Read again, and

Ordered, That it be Referred to the next Fall Session for further Consideration.

A Message sent up to the Board by Capt. *Gardner*, and Mr. *Hitchcock*, to inquire whether They have pass'd any further upon the Impost Bill. Who return'd, That it was Non-Concurr'd, and should be sent down.

John Wheelwright Esq; Brought down the Impost Bill, pass'd upon, *viz.* *June 20th* 1719. Read and Non-Concurr'd.

And then the House Adjourn'd till Monday next Three a Clock Afternoon.

VOTES

Of the House of Representatives.

Junæ 22. Die Junii 1719. P. M.

THe Impost Bill, further Considered, and *Voted*, That the House Insist on their Vote last sent up, *Forasmuch as the Royal Charter of this Province gives Power to this Government to Impose & Levy, proportionable & reasonable Assessments, Rates & Taxes upon the Estates and Persons, of all or every the Proprietors, or Inhabitants of the same, which this Government has been in the free & uninterrupted Exercise of, ever since the Enjoyment of the said Charter.*

Sent to the Upper House for Concurrence.

A Petition of *Claude Petitpas* a French Man of *Canso*, shewing, That he is a Subject of His Majesty King *GEORGE*, and has at several times, done many good Offices for the English, which the French were so Disgusted at that they attempted to take him, and all he had, and to avoid their Insults he put his Goods on Board the Sloop of one *William Neale* of *Piscataqua*, intending to Transport them and his Family further Westward, But the said *Neale* run away with his Goods, to the value of *l. 700*, to *Piscataqua*, and has there Dispos'd of the same, so that he can recover no more than *l. 100*, and the said *Neale* has nothing to make him Restitution; praying the Compassionate Consideration of this Court in his low, impoverish'd Circumstances. Sent down from the Board, entred thereon, *viz.* In Council *June 22 d, 1719.* Read & Recommended. Read and Committed.

A Message sent up to the Board by Capt. *Gardner*, to Inquire, If they have pass'd upon the Vote of this House on the Petition of *John Higginson*, and eighty others, sent up on Friday last.

Edward Bromfield Esq; brought down the said Vote, pass'd on there, *viz.* In Council *June 19th. 1719.* Read and Non-Concurr'd.

Col. *Dudley* from the Committee sent down to Castle *William*, to view the works there, Reported, That they had attended that Service, and find the works in good forwardness, and near finished, and as they apprehend well and faithfully carried on.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis, 23 Die Junii, 1719. A. M.

A Memorial of *John Gyles* Commander of Fort *George* at *Brunswick*, shewing, That some Repairs are needful soon to be done at the said Fort. Sent down from the Board having been Read there.

Ordered, That Col. *Dudley*, Capt. *Cawley*, and Mr. *John Paine*, be a Com-

mittee to whom the said Memorial is referr'd to consider the subject Matter thereof and report what they think proper to be done thereon.

A Bill Intituled, *An Act in further addition to an Act for the Erecting a Powder House in Boston.* Read a 3 d time and pass'd to be Engross'd.

Sent up for Concurrence.

An Accompt of *Daniel Henchman* of the charge of Printing the Sermon of the Reverend Mr. *William Williams* on the last Day of Election of Councillors, amounting to Eight Pounds, Fourteen Shillings & four Pence, presented to the House for Allowance.

Resolved, That the Sum of Eight Pounds fourteen Shillings and 4 d. be allowed and paid out of the Publick Treasury to *Daniel Henchman* the Accomptant, to discharge his Accompt. Sent up for Concurrence.

The Impost Bill sent down from the Board with a Message, by *John Clark*, and *Samuel Thaxter* Esqrs; That they observe a new Form in the last Vote of this House on the said Bill, viz. Sent to the *Upper House* for Concurrence: Which they Desire may be abated before they pass on the Bill.

And the Question being put, *Whether the Words to the Upper House be abated?*

It pass'd in the Negative.

The said Bill sent up again by Capt. *Noyes*, Mr. *Lindall*, Capt. *Foye*, and Capt. *Throop*, with a Message giving the Reason of the said New Form: Who Returned, That they carried up the said Bill and acquainted the Board, That the new and unusual Treatment, that the House had received from the Board had occasioned the said New Form. [26]

A Message sent up to the Board proposing that the Court now proceed to the choice of a Treasurer.

A Message from the Board by *Edward Bromfield* Esq; That they are ready to joyn in the choice of a Treasurer. The House prepared their Votes.

Ordered, That Col. *Dudley*, and Capt. *Gardner* carry up the said Votes, and assist in sorting, and numbring them, with the Votes of the Board, and report the choice: Who Reported that Mr. *Jeremiah Allen* was chosen by a major part of the Voters.

This House being credibly Informed, That several Persons have lately Trespassed by Cutting of Timber, Bleeding of Pines for Turpentine, and making of Tar on the Lands of this Province lying near *Merrimake River*.

Ordered, That Capt. *John Shipley* and Mr. *Benjamin Whittemore* be desired to get Information and Evidence of such Persons, as have so Trespassed and give it to the Attorney General; who is hereby Directed to Prosecute such Offenders in the Law. And that it be an Instruction to the Attorney General to Prosecute such Persons as Offenders who do not derive a Title to such Lands, from a Grant of this Court, or a Grant of the General Court of the late Colony of the *Massachusetts-Bay*. Sent up for Concurrence.

Ordered, That no Person be allowed to Take up or Protract any particular Grant of Land within the Limits of the Tract of Land, lying between the Towns of *Lancaster* and *Grotton*, which a Committee of this Court lately reputed to be convenient and accommodable for two Townships. Sent up for Concurrence.

A Message from the Board by *Benjamin Lynde, Thomas Fitch, & Samuel Thaxter* Esqrs; That whereas in a Message from this House this Day, It was said that the Council had Treated this House in a new and unusual Manner, They desire to be Informed When, and Wherein, It has been.

And that they are sorry any Difference should arise about the style of the Council. And don't find in the Charter, or the usage of this Court, that they have been styled the *Upper House*; and Desire no Innovation may be made.

Post Meridiem.

A Petition of *Thomas Sandford* and *Thomas White*, in behalf and by Order of the Town of *Mendon*, presented to the House & Read, praying, That an equivalent in the Province Land may be Granted to the said Town, for that part thereof which has been taken away by the late Settlement of the Line between this Government and the Government of the Colony of *Rhode-Island*.

A Petition of *John Newall* and 92 others Inhabitants of the Town of *Lynn*, presented to the House & Read, praying, That a Law may be made, to prevent the great Damage that is done by unruly Dogs.

Ordered, That Col. *Dudley*, Capt. *Gardner* and Capt. *Whipple*, be a Committee to prepare and lay before the House a Bill to Remedy the Mischief Complain'd of in the said Petition.

An Engrost Bill Intituled *An Act in further Addition to an Act for Erecting a Powder-House in Boston*. Read and *Resolved*, That the Bill do pass to be Enacted.

Ordered, That the following Message be sent up to the Board in answer to their last, by Capt. *Noyes*, Mr *Tay* and Capt. *Chambers*. Viz.

1. It is new and unusual, for the Council to give his Excellency their advice upon a Bill, till they have Acted in concert with the House in Concurring, or Non-concurring.

2. It is likewise new and unusual, for the Council to desire a free conference upon a subject matter and then on the management to inform the House that by a previous Vote, they had so far Engaged themselves that they could not Recede from it.

3. It is a new and unusal method, for the Honourable Board, after a Message to the House, desiring several amendments to a Bill of Rates and Dutys, which were in a great measure agreed to by the House Immediately to Non-concur the Bill.

4. It is likewise new and unusual, for the Honourable Board, to Intermeddle so

much with the Grants and Funds, which this House takes to be their peculiar Province.

A Petition of *Joseph Newmarch* of *Marblehead*, presented to the House & Read, praying, That he may be enabled to make Sale of part of a Piece of Land in the said Town, to the Value of *l. 120*, which he had with his late Wife *Susannah*, Deceased, as a Marriage Portion, and has thereon Erected Buildings to the Value of about *l. 500*, to pay his just Debts. And the Question being put, *Whether the prayer of the Petition be Granted?* It pass'd in the Negative.

A Message from the Board by Mr. Secretary *Willard*, That they desire a Copy of the last Message from this House. Ordered, That it be sent up. [27]

The Petition of *Samuel Waldron*, *Joseph Atwood* and *Nathan Walker* Select Men of the Town of *Dighton*, praying as entred the 16th Currant, Read again.

And

Ordered, That it be referred to the next Fall Sessions for further consideration.

The Impost Bill brought down again by *Nathaniel Pain*, *John Cushing*, *John Wheelwright* and *Jonathan Belcher*, Esqrs; Non-Concurr'd, and they delivered a Message giving reason for their Non-Concurrence, and withdrew.

A Message to the Board by Capt. *Gardner* and Mr. *Bordman*, desiring a Copy of their last Message to prevent Mistakes.

Samuel Partridge, Esq; brought down a Copy of the said Message, viz.

This Board tho' always ready and desirous to Concur with the Hon. House of Representatives in such Proposals relating to an Impost, as may not tend to expose or alter our present happy Constitution, under the Royal Charter; yet cannot think it advisable after the different opinions that have appeared on the Debates, Conference and Votes between this Board and the Hon. House, to concur with their Vote as to a Duty on European Goods at this present Session.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 24. Die Junii. 1719 A. M.

THE Petition of *Andrew Faneuil*, Praying as entred the 10th Currant, Read again, and Mr. *Cooke* from the Committee for Petitions made Report thereon, which was not accepted by the House

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

Penn Townsend, *Samuel Partridge* and *Samuel Brown* Esqrs; and Mr. Secretary *Willard*, brought down the following Message, viz.

The Board having taken into Consideration, a Message from the Honourable House consisting of four Articles, answer as follows, viz.

As to the first Article, They declare that the House have proceeded upon a mistake, which they are of opinion doth fully appear in a Message from this

Board, by *Addington Davenport*, *Thomas Hutchinson* Esqrs; and Mr. Secretary *Willard*, the 19th current, as also by an answer then given by the Board to a Message by Dr. *Noyes*, and Mr. *Clark*, the Board having only acted in the affair of the Impost Bill, as they are Members of the Great and General Court or Assembly.

As to the Second Article, whatever might be said by any manager for the Board, at the Conference, which gave occasion to the House to suppose, that the Board was so far engaged by a previous Vote, that they could not recede from it, the same was not only explained at the Conference, but also afterwards more fully (to intend no such thing) by a Message from the Board, and therefore the Board did not expect to hear any thing more on that head.

As to the Third Article, the Board did indeed propose several amendments, some of which were complied with, but others very material were not, and they suppose it not new, or unusual to Non-Concur Bills sent up from the Honourable House, and the Board chose rather to have the Vote on the Bill, well and rightly worded before they pass their Concurrence or Non-concurrence, and are of opinion such a Practice is just, proper and usual, and as to the dispatch of the Board in their Vote of Non-concurrence, They are of opinion that they did not improperly, therein the Bill being ready for a Vote, and the House having sent many Messages to inquire what was done thereon.

As to the Fourth Article, It is answered that it has been usual for the Board to have a Conference with the House in Money Bills, and the House have often thereupon made amendments to such Bills as may be seen by the Original on file, and this being only a Bill in Performance in the Promises and Engagements of the General Court in the Years 1713, 15, and 16, for Drawing in part of the *l.* 16000 the Board are equally engaged with the House, to see the same punctually performed in such a method, as is most probable to obtain the Royal Approbation.

Col. *Dudley* from the Committee appointed brought in a Bill Intituled, *An Act for the Preservation of the Young and small Cattle, and to Discourage the keeping of unruly Dogs.* Read a first time.

Benjamin Lynde, *Jonathan Dowse* and *Samuel Thaxter*, Esqrs; brought down the following Message from the Board, *viz.*

The Board taking into their serious Consideration the many differences, Debates and Messages, that have been and passed between the Council and the Honourable House of Representatives, referring to an Impost of one *per Cent.* on British or European goods, [28] together with His Majesties late additional Instruction. And being sensible the said Differences, Debates and Messages have been for the most part not only without any good Effect, but rather Increased a Misunderstanding in the General Court, and very much retarded the necessary affairs of the Government, besides the loss of Time occasioned thereby, and the Charge accruing to the Province, and the several Towns therein: as also the dam-

age to most of the Members of the Court at this season of the Year. Do therefore earnestly desire that an end may be put to any further Differences if it may be, and that we may all diligently endeavour the bringing the business of the Court, to such an happy Conclusion, as may promote His Majesties Honour and the welfare of His Good Subjects throughout this Province. Voted in Council
June 24. 1719.

Thomas Hutchinson, Thomas Fitch and Edmund Quincey, Esqrs; brought down the Accompts of the Commissioners for the *l. 100000* Loan of Credit Bills, which had been sent up this Session, and proposed some alteration in the Votes thereon.

A Representation of the case mentioned in the Narrative of Mr. *Cooke*, prepared by the Committee appointed for that end the 17th Currant, presented to the House.

Signed, *Oliver Noyes, Timothy Lindal, and William Throop.*
Read and accepted.

Post Meridiem.

Voted, That a Bill be prepared to continue the present Act, *For Granting to His Majesty, several Rates and Duties of Impost and Tunnage of Shipping*, until the end of the Session of this Court in Autumn next, saving that a clause be inserted in the Bill to exempt all British Vessels from the Duties of Tunnage.

Sent up for Concurrence.

A Bill Intituled, *An Act in Addition to an Act Intituled, An Act Prohibiting the Exportation of Raw Hides, Upper Leather and Tann'd Calves Skins, from out of this Province other than for Great-Britain.* Read a first time.

A Bill Intituled, *An Act for Prohibiting the Killing of Calves under Thirty Days old.* Read a first time.

A Petition of *Anne Ware* of Boston, Widow, praying, That her Son-in-law *John Brewer* and *Joseph Hiller* may be impowered to make Sale of a fifth part of a House and Land in *Cross-Street* in Boston, altho' the Land was given by her late Husband *Robert Ware* Deceased, to the said *John Brewer*, and *Martha* his Wife and their Children after them, for reasons set forth in the Petition. Sent down from the Board, pass'd on there viz. In Council June 23d 1719. Read and Ordered, That the prayer of the Petition be Granted, and that Mr. *Thomas Cushing* be joined with Mr. *Brewer* and Mr. *Hiller* in the Sale of the Eastermost part of the said House and Land. Sent down for Concurrence. Read & Concurr'd.

A Message from the Board by *Samuel Patridge, Esq;* That they had Non-Concurr'd the Vote of this House for a Bill to be drawn to continue, the present Impost Act, that was sent up this Day.

A Message to the Board by Mr. *Lindal* and Col. *Dudley* proposing, that the Court now proceed to the choice of an Attorney-General.

A Message from the Board by *Nathaniel Norden*, Esq; that they are ready to proceed to the choice of an Attorney General.

The Votes of the House were prepared and sent up by Col. *Dudley*, and Mr. *Lindal*: Who Returned that *John Valentine*, Esq; was chosen by a major part of the Voters.

Resolved, That the County and Town Rates or Assessments, for this Year be Proportioned, Levyed and Collected by the same rule, and in the same manner, that they were last Year, and that a Bill be drawn accordingly.

Sent up for Concurrence.

A Petition of *Joseph Metcalf* of *Falmouth* on *Cape-Cod*, Clerk, presented to the House & Read, shewing, That according to Contract, he receives *l. 60 per Annum* Salary, which he is paid in Bills of Publick Credit, and the said Bills are so depreciated and sunk in their Value that he cannot support himself and Family therewith, but is reduced to straits, that he cannot prevail with the said Town to augment his Salary, and that the Court of General Sessions of the Peace refuse to act any thing for his Relief, by reason of the said Contract. Praying this Court to Relieve him.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

VOTES

Of the House of Representatives.

Jobis, 25. Die Junii 1719. A. M.

A Petition of *Hezekiah Doane* and 14 others of *Cape Cod*, presented to the House and Read, praying, That Thirty Pounds more may be Granted out of the Publick Treasury, to finish the Meeting-House which this Court ordered to be built there, and Granted l. 150 out of the Treasury for that end, which is all expended, and an Accompt of the Expence thereof now exhibited.

And the Question being put, *Whether the prayer of the Petition be Granted?*
It pass'd in the Negative.

A Bill Intituled, *An Act in addition to an Act Intituled, An Act Prohibiting the Exportation of Raw Hides, Upper Leather and Tann'd Calve Skins, from out of this Province, other than for Great Britain.* Read 2d time.

A Bill Intituled, *An Act for Prohibiting the Killing of Calves, under Thirty Days old?* Read a 2d time.

And the Question being put, *Whether the Bill be Read a 3d time?*
It pass'd in the Negative.

A Plat of 50 Acres of Land laid out by *William Ward* Surveyor under Oath, upon *Sudbury River*, which *Thomas How* of *Marlborough* obtained leave from this Court to purchase of *Joseph Robinson* an Indian, Anno 1669. Presented to the House for Confirmation.

Resolved, That the Land Described and Delineated in the said Plat be Granted and Confirmed unto the said *Thomas How*, his Heirs and Assigns for ever. *Provided*, It exceed not the Quantity of Fifty Acres, and Intrench upon no former Grant. Sent up for Concurrence.

A Petition of *Daniel Bartlet* Presented to the House & Read, praying, That he may be permitted, to prepare and bring in a Bill to enable him to have a new Tryal of a case between him, and *Nathaniel* and *Timothy Halloway* before the Superiour Court next to be holden at *Bristol*, as was Granted him in *Novemb.* 1716, but the General Court rose before a Bill for that end could be passed.

Ordered, That the Prayer of the Petition be Granted. Sent up for Concurrence.

Post Meridiem.

A Bill Intituled, *An Act for the Preventing and Discouraging the growing Extravagancies of this Province.* Read a first time.

A Bill Intituled, *An Act for the preservation of the young, and small Cattle, and to Discourage the keeping, of unruly Dogs.* Read a 2d time and Committed.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Ueneris, 26. Die Junii, 1719. A. M.

A Bill Intituled, *An Act for preventing and discouraging the growing Extravagancies of this Province.* Read a 2 d and 3 time, and pass'd to be Engross'd. Sent up for Concurrence.

A Message from the Board by Mr. Secretary *Willard*, that his Excellency the Governour Directs this House now to attend him in the Council Chamber.

Mr. Speaker, and the House went up accordingly, and his Excellency made a Speech to the Court, and then the House Return'd to their own Chamber.

A Message to the Board by Col. *Dudley* and Mr. *Barker*, to Request his Excellency the Governour to favour the House with a Copy of his Speech. Who return'd there-with, and it was Read, and is as follows, viz.

GENTLEMEN,

MY Design in sending for you up at this time is to let you know, how Concern'd I am at the Unhappy Misunderstandings, which have been for many Days, between the Council [30] and your House relating to the Impost Bill, and to assure you that no Person here present can be more desirous of Preserving the Privileges, of this People than my Self, so far as is consistent with the late Instructions, I have received from my Royal Master, which have by His Special Direction been laid before this Court; I am fully perswaded, that to act any ways contrary thereto after the many Debates, and Votes which have been upon that head, would rather Destroy than Preserve those Privileges, We so justly prize.

Gentlemen,

I Desire your Serious Consideration of what I have hinted, that so the important Affairs of the Province, yet lying before you may have a speedy and happy Conclusion.

Post Meridiem.

The Petition of *Joseph Metcliffe*, Praying as entered the 24th Current. Read again and

Voted, That it be Recommended to the Honourable the Committee, that receiv'd the Charity of this Province Collected the Last Year, upon a Brief Issued forth by this Government for the Propagating of the Gospel, for some present Relief.

And that it be Recommended to the Court of General Sessions of the Peace in the County of *Barnstable*, to take care that the Petitioner be suitably supported for the future, unless the Town shall Prevent it by doing it.

Sent up for Concurrence.

Upon a Motion being made:

Ordered, That *Samuel Thaxter* Esq; and Capt. *Jacob Thompson*, be a Commit-

tee carefully to Inquire into, Run and settle the Divisional Line between the Towns of *Wrentham*, and *Attleborough*, giving notice to both the said Towns, when they attend the service, and make report of their doings therein to this Court. Sent up for Concurrence.

Whereas this House have Voted and Passed a Bill, Granting to His Majesty Several Rates and Duties of Impost, and Tunnage of Shipping, in which was included one *per Cent.* on European Merchandize, for which Article or clause the Honourable Councill, have several times Non Concurr'd the said Bill, notwithstanding all proper Endeavours have been used by this House to attain the same, which have hitherto proved fruitless, whereby a Considerable part of the Revenue, which would have accrued to this Province, is for this present Session foregone, which also tends to the Depriving this Government of their justs Rights, Powers and Privileges, Granted by the Royal Charter.

Resolved, That a Draught of another Impost Bill, be Prepared and Laid before the House, and that Col. *Dudley*, Maj. *Stoddard*, and Mr. *Clark*, be a Committee to prepare the same.

A Bill Intituled, *An Act in Addition to an Act Intituled An Act, in further Addition to the Act for Encouraging the Killing of Wolves.*

Read twice and pass'd to be Engrost. Sent up for Concurrence.

A Bill Intituled, *An Act in further Addition to an Act Intituled, An Act for making of Lands and Tenements liable to the Payment of Debts.* Read,

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 27. Die Junii, 1719. A. M.

O*rdere*d, That a Message be sent to his Excellency the Governour by Capt. *Cawley* and Mr. *Foster*, Requesting his Excellency to direct the Justices of the Inferiour Court of Common Pleas, and Justices of the Court of General Sessions of the Peace of the County of *Essex*, and the County of *Plymouth* to Adjourn the respective Courts to a further Day, several Members of the said Courts belonging to this.

Ordered, That the Vote for a Bill to to be drawn laying a Duty on Rhum and other Spirits Distilled here be Reconsidered.

A New Draught of a Bill Intituled, *An Act Granting to His Majesty several Rates and Duties of Impost and Tunnage of Shipping.*

Read twice, and pass'd to be Engrost. Sent up for Concurrence.

A Bill Intituled, *An Act for preventing Tumults and Riotous Assemblies, and for the more effectual Punishment of Persons guilty thereof.* Pass'd at the Board to be Engrost, and Sent down for Concurrence. Read and

The Question being put, *Whether the Bill be Read a 2d time?*

It pass'd in the Negative.

Journal of the House of Representatives 165

A Message from the Board by *John Clark*, Esq; that they have agreed to the Message for Adjourning the Courts in the Counties of *Essex* and *Plymouth*.

A Bill Intituled, *An Act to enable Daniel Bartlet of Mendon, to bring forward an Action of the Case between Nathaniel and Timothy Hollowell of Taunton, and the said Bartlet, at the Superiour Court next to be holden at Bristol, within and for the County of Bristol.* Read twice and pass'd to be Engrost.

Sent up for Concurrence.

And then the House Adjourn'd till Monday next Three a Clock Afternoon.

B O S T O N : Printed & Sold by *B. Green*. 1719. [31]

VOTES

Of the House of Representatives.

June, 29. Die Junii, 1719. P. M.

AN Engross'd Bill, Intituled, *An Act to Enable Daniel Bartlet of Mendon, to bring forward an Action of the Case between Nathaniel and Timothy Hallowell of Taunton, and the said Bartlet, at the Superiour Court next to be holden at Bristol within and for the County of Bristol.* Read twice and pass'd to be Engrost.

Sent up for Concurrence.

A Petition of *John Hayes*, Keeper of the Light-house on Beacon Island, presented to the House and Read, praying, That a Gallery may be built on the Seaward side of the said Light-house, that he may be able to come at the Glass to clear off the Ice and Snow in the Winter time, whereby the Light is greatly obscur'd. And that a Great Gun may be plac'd on the Light-house Island, to answer Ships in a Fogg.

Voted, That a Gun be planted on the said Island for the use mentioned in the Petition: And that Capt. *Chambers*, and Mr. *Clark* be a Committee to consider, and make Report to this Court, at the next Fall Sessions, what is proper to be done in order to clear the Snow, and Ice from the Glass in the Winter.

Sent up for Concurrence.

A Bill Intituled, *An Act in addition to the several Acts already made relating to the Settlement and Distribution of Intestate Estates, and the Probate of Wills.* Pass'd to be Engross'd at the Board. Sent down for Concurrence. Read a first time.

The following Message brought down from the Board by *Samuel Sewall*, *Penn Townsend*, and *Addington Davenport* Esqrs; and Mr. Secretary *Willard*, viz. Mr. Speaker, His Majesty's Council of this Province, Understanding that this Honourable House on Friday last passed a Vote or Resolve which if it appears in Print, may oblige them in their own Vindication to reply unto, but being desirous that the different Opinions which have happened at this Court relating to our Impost Bill, may not be again revived, having already been made too Publick, as they conceive. And inasmuch as the General Court or Assembly have at length happily agreed together on a Bill of Impost, &c. The Board do therefore think it convenient, to recommend it to the consideration of the House, Whether it may not be better wholly to suppress the Publishing any thing which may carry, or bear a Reflection on any part of the Court, and be Improved by those who are not our best friends to our Disadvantage.

The Question being put, *Whether the House will Reconsider their Vote pass'd the 26th Currant, referr'd to in the said Message?*

It pass'd in the Negative, *Nemine contradicente.*

A Message from the Board by *Nathaniel Byfield*, and *Edmund Quincey* Esqrs; That the Council have Concurr'd with the Vote of this House for the Raising of l. 4000, on Polls and Estates, by a Tax this Year.

The Petition of *Claude Petitpas*, praying as entred the 22d Currant, further considered, and the Report of the Committee thereon, which was accepted by the House, and accordingly:

In Consideration of the tender Regard the Petitioner has shewn to sundry English Captives in the late *Indian* War, not only in relieving and succouring them when in great want, but purchasing them from the *Indian* Enemy at his own Cost and Charge, and setting them at Liberty, as is Certified by diverse Persons of good repute.

Resolved, That the Sum of One Hundred Pounds be Allowed and Given to the Petitioner out of the Publick Treasury.

That one of his Sons be fitted for and then brought up at *Harvard College* for the space of Four Years at the charge of this Government.

And that Mr. President *Leverett* be desired to take the care of his Education.

Sent up for Concurrence.

A Letter from Capt. *Lewis Bane* to his Excellency the Governour, Dated at *Falmouth* the 20th *June* 1719. Advising that Four *Indians* had been aboard a Briganteen riding in *Casco Bay*, where they obtain'd a Quantity of Rhum, and made themselves Drunk therewith, and that Three of them were Drowned in their Return to *Pejipscut*. Read. [32]

A Bill Intituled, *An Act for Apportioning and Assessing a Tax of Four Thousand and Ten Pounds, Ten Shillings and Six Pence upon Polls and Estates*.

Read a first time.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

¶ *Martis* 30. *Die Junii*. 1719. A. M.

AN Engross'd Bill, Intituled, *An Act for Granting to His Majesty several Rates and Duties of Impost and Tunnage of Shipping*. Read and

Resolved, That the Bill do pass to be Enacted.

Ordered, That the Sum of Five Pounds be added to the Town of *Enfield*, and Five Pounds to the Town of *Stow*, in the Tax to be Raised this Year, in Consideration of their neglecting to send a Representative.

A Bill Intituled, *An Act for Apportioning and Assessing a Tax of Four Thousand, and Ten Pounds, Ten Shillings and Six Pence, upon Polls and Estates*. Read a second time, and pass'd to be Engross'd. Sent up for Concurrence.

An Engross'd Bill, Intituled, *An Act in addition to an Act, Intituled, An Act in further addition to the Act, for Encouraging the Killing of Wolves*. Read, and

Resolved, That the Bill do pass to be Enacted.

A Draught of Instructions to Mr. Agent *Dummer*, prepared by a Committee of both Houses, Sent down from the Board, pass'd upon there, *viz.* In Council, *June* 30th. 1719. Read and accepted. Sent down for Concurrence.

Read and Concurr'd with an Amendment. Sent up.

A Message to the Board by Capt. *Throop*, proposing, That the Court proceed to the choice of an Impost Officer this afternoon.

Voted, That Capt. *Noyes*, Mr. *Clark* and Mr. *Tay* be a Committee to take care for the Transmitting to Mr. Agent *Dummer*, the Representation of the Case mentioned in Mr. *Cookes* Narrative for the Vindication of the House, pursuant to the Vote pass'd the 24th Currant.

Post Meridiem.

The House brought in their Votes for an Impost Officer, which were sent up to be Sorted and Numbred with the Votes of the Council by Mr. *Clark* and Col. *Dudley*: Who Return'd and Reported, That Mr. *Daniel Russell* was chosen by a major part of the Voters.

Resolved, That the Treasurer be and hereby is Directed, to Issue forth and Emit the Sum of Five Thousand Pounds of the Bills of Publick Credit, that are or shall be received into the Treasury: for Payment of the Publick Debts of the Province, already Contracted, for the Defence and Support of the Government, and the necessary Protection and Preservation of the Inhabitants of this Province, and for the Subsisting of Forts and Garrisons, and Wages arising for their Service, for Payment of Grants, Salaries and Allowances made or to be made by this Court, according to such Draughts as from time to time shall be made upon him by Warrant or Order of the Governour or Commander in Chief, for the time being, by and with the Advice and Consent of the Council. And the said Bills shall pass out of the Treasury, at the value therein expressed equivalent to Money, and shall be taken and accepted in all Publick Payments, at the Advance and after the rate of Five Pounds *per Cent.* more.

And as a Fund and Security for the same, there be and hereby is Granted to His most Excellent Majesty to the ends and uses as aforesaid, a Tax of Five Thousand Pounds, Three Thousand Pounds thereof to be Levyed on Polls and Estates, both Real and Personal within this Province, according to such Rules and in such Proportion upon the several Towns and Districts within the same, as shall be agreed on and ordered by the Great and General Court or Assembly of this Province at their Session in *May* 1721. and paid into the Treasury on or before the last Day of *December* next after. The remaining Two Thousand Pounds to be Levyed as aforesaid at the Session of this Court in *May* Anno 1723. and paid into the Treasury on or before the last Day of *December* next after. And that the Duties of Impost and Excise, be a further Fund and Security, for the Repay-

ment and drawing in of the said Bills into the Treasury again.
Concurrence.

Sent up for

A Message from the Board by *Penn Townsend, John Appleton, Samuel Patridge, Nathaniel Paine*, Esqrs; and Mr. Secretary *Willard*, viz. [33]

The Board are very much concerned to find among the Votes of the Hon. House a Declaration as if the Council in Non concurring, the Bill of Impost, as it was at first framed, "had done that whereby a considerable part of the Revenue "which would have accrued to this Province, is for this present Session foregone, "which also tends to the depriving this Government of their just Rights, Powers "and Priviledges granted by the Royal Charter.

This Declaration contains or implies such a Charge as the Council can by no means suffer themselves to lye under, without asserting and solemnly declaring their Integrity, and they are the more surprized at the Imputation of doing a thing, which tends to the "depriving this Government of their just Rights, Powers and Priviledges granted by the Royal Charter, when on the 23d Currant the Board sent down a Message to the Hon. House, "That they were always ready "and desirous to concur with the Hon. House of Representatives, in such Proposals relating to an Impost as may not tend to expose, or alter our present "happy Constitution under the Royal Charter.

So that it was from a sincere and just Regard to the Rights, Powers and Priviledges of this Government Granted by the Royal Charter, that the Council chose rather to omit the Duty of one *per Cent.* on English Goods for this Session.

That the Council apprehended the Duty of one *per Cent.* on English Goods affected the Trade of *Great Britain*, and so within the meaning of His Majesty's late Additional Instruction is certain. And being of that opinion, it would have been inconsistent for the Board to Concur the Bill of Impost as first sent up, however they can boldly and truly say, That in the whole of their proceedings on this occasion they have acted from a Principle of Duty to His Majesty, Love and Fidelity to their Country, and have nothing more at heart than the just, wise and careful preservation of those unvaluable Rights, Powers and Privileges Granted by the Royal Charter, which God long continue.

Samuel Patridge and *Samuel Thaxter*, Esqrs; brought down a Petition of *Samuel Smith* of *Sandwich*, to his Excellency the Governour and Council, shewing, That he is imprisoned for the Murther of his Negro Servant, which he is not guilty of, praying that a special Court of *Oyer and Terminer*, may be constituted for his Tryal, it being near a Twelve-month, before the Court of Assize will set in that County. With a Message that his Excellency with the Council are ready to appoint Judges in answer to the said Petition, if this Court think it proper to bear their Charge in attending the Service.

And the Question being put, *Whether the Charge of such Court shall be defrayed out of the Publick Treasury?* It pass'd in the Negative.

Resolved, That the Sum of Six Hundred Pounds be allowed and paid out of the Publick Treasury to his Excellency *SAMUEL SHUTE*, Esq; Captain General and Governour in Chief of this His Majesty's Province, for his Support in managing the Affairs of the Government. Sent up for Concurrence.

Resolved, That the Sum of Fifty Pounds be allowed and paid out of the Publick Treasury to the Hon. *William Dummer*, Esq; Lieut. Governour, in consideration of his readiness at all times to serve this Province. Sent up for Concurrence.

Resolved, That the Sum of Four Hundred Pounds, be allowed and paid out of the Publick Treasury to the Hon. the Judges of the Superiour Court of Judicature in proportion to the Courts they attended in the Year past.

Sent up for Concurrence.

Resolved, That the Sum of Thirty Pounds be added to the allowance of the Reverend Mr. *John Leverett*, President of *Harvard College* for the Year Currant, beginning in *January* last, and paid to him out of the Publick Treasury.

Sent up for Concurrence.

Resolved, That the Sum of Two Hundred and Fifty Pounds be allowed and paid out of the Publick Treasury to *Jeremiah Allen* Esq; Treasurer of this Province for his Service the Year past, his Trouble being extraordinary in changing the Bills of Credit, and taking care for a Supply of the Garrisons, &c.

Sent up for Concurrence.

Resolved, That the Sum of Twenty Pounds be allowed and paid out of the Publick Treasury to Mr. *John White* Clerk of this House, in part for his Service the Year Currant. Sent up for Concurrence.

Resolved, That the Sum of Twenty seven Pounds Ten Shillings be allowed and paid out of the Publick Treasury to Mr. *John Flagg* Doorkeeper to his Excellency the Governour and this Court, for his Service half a Year ending the 26th Day of this Month. Sent up for Concurrence.

An Engrost Bill Intituled, *An Act for Apportioning and Assessing a Tax of Four Thousand and Ten Pounds, Ten Shillings and Six Pence, upon Polls and Estates.* Read and

Resolved, That the Bill do pass to be Enacted. [34]

An Accompt of *John Flagg*, for taking care of the two Clocks belonging to this Court for two Years and half, and cleaning one of them amounting to Three Pounds, presented to the House for allowance.

Resolved, That the Sum of Three Pounds be allowed and paid out of the Publick Treasury to *John Flagg* the Accomptant to Discharge his said Accompt.

Sent up for Concurrence.

Ordered, That all Petitions lying on the Table unanswered, be referred to further consideration at the next Session of this Court.

A Message from his Excellency the Governour, by Mr. Secretary *Willard*, That this House do now attend him in the Council Chamber.

Mr. Speaker and the House went up accordingly.

And His Excellency was pleas'd to say,

GENTLEMEN, *I Return you Thanks for the Care you have Taken of my Support, and am well pleas'd that the many Debates that have happened this Session, are at last brought to a happy Conclusion.*

I have nothing further to add, but to wish you well to your respective Towns.

And then Mr. Secretary *Willard* Declared, That it is His Excellency's Pleasure that this Great and General Court should be *Prorogued* to Wednesday the 26th Day of *August* next, at Ten a Clock, in the Morning: And that it was accordingly Prorogu'd.

JOURNAL

Of the HOUSE of
Representatives.

At a Great and General Court or Assembly of His Majesty's Province of the Massachusetts-Bay, in ~~New-England~~ begun & held at ~~Boston~~ on Wednesday, the 27th Day of ~~May~~, Anno Domini, 1719. and continued by Prorogations to Wednesday the 4th Day of ~~November~~ next after, and then Met.

MR. Speaker sent a Message to His Excellency the Governour by Capt. *Noyes*, Mr. *Tay*, and Col *Dudley*, That a Quorum of the House are met ready to attend the business of the Session.

A Message from the Board by *Penn Townsend* Esq; That His Excellency the Governour Directs this House now to attend him in the Council Chamber.

Mr. Speaker, and the House went up accordingly, and His Excellency made a Speech to the Court: And then Mr. Speaker with the House Return'd to their own Chamber.

A Letter from Mr. *Samuel Pain* Representative of the Town of *Woodstock*, Dated, *Octob.* 30th. 1719. presented to the House and Read, shewing that he is by Sickness prevented attending His Majesty's Service in this House.

Post Meridiem.

Thomas Paine Esq; who was absent the last Session, made his Excuse for his absence.

Ordered, That his Excuse be accepted; The said Member was sent up to the Board to be qualified by Taking the Oaths, &c.

Whereas this House is Inform'd, That a Vessel arrived Yesterday from *Ireland* at *Hull*, with about 150 Passengers, several of whom in the Passage have been Sick of the Small Pox, and are by the care of the Select-men of *Boston*, Landed at the Pest-house, so many as that will entertain, but several still remain on board unprovided for, who will be likely soon to come to this Town, if care be not taken of them, to the endangering the Health of the Province.

Ordered, That the said Select-men of *Boston* be desired to take care for the Entertainment of such of the said Passengers, as can't be receiv'd at the Pest-house, in some proper Place to prevent, the spreading of the said Infectious Sick-

ness, and provide them, and the others at the Pest-house with some fresh Meat and Greens for their Refreshment, and Fire-wood for their present necessity.

Sent up for Concurrence.

Mr Speaker having obtain'd a Copy of His Excellency the Governours Speech, It was Read and is as follows, *viz.*

GENTLEMEN,

SINCE our Last Session, I have had the Honour to receive several things in Command as well from their Excellency's the Lords Justices of the Kindgom in His Majesty's absence, as from the Right Honourable the Lords Commissioners of Trade and Plantations, which as they very much affect the Government of this Province, so I am obliged to Communicate them accordingly.

Their Excellency's the Lords Justices are pleased to signifie to Me, their great displeasure at the Act of Assembly that was passed at the Sessions in May, 1718. Entitled, An Act for granting unto His Majesty several Rates and Duties of Impost and Tunnage of Shipping: *Wherein a Duty was laid both on English Goods and English built Shipping, as being contrary to His Majesty's Instruction for that purpose and not authorized by the Royal CHARTER; I am very glad we were so sensible of the Mistake, as at our Sessions in May last, we took off the Duty on English Goods and Shipping, and the more Effectually to prevent our being Guilty of so fatal an Error for the future, I am Expressly Comanded by [36] their Excellency's, to Represent both to the Council & Assembly in the Words following, viz. "That as the "Power of making Laws, which was granted to this Government by the Charter "from their late Majesty's King William and Queen Mary, is restrained to the "Condition, that such Laws shall not be Repugnant to the Laws of Great Britain, "they will do well to consider how far the breaking this Condition, and the laying "any Discouragement on the Shipping and Manufactures of Great Britain may "endanger their Charter.*

This Gentlemen must be look'd upon as a Warning from the Throne, and I hope will prove a Means to preserve us in our Dutifull Dependance on, and Subjection to, the Crown and Government of Great Britain, upon which (under G O D) the Constitution and Prosperity of this Country Intirely Depends.

From the Right Honourable the Lords of Trade & Plantations, I am to acquaint you, "That an Act of Parliament passed the last Session, wherein is a Clause requiring "a more strict Examination for the future, into the goodness of Pitch and Tarr, "to be Imported from the Plantations, and no Premium to be allowed, but for "such of the said Commodities as shall be perfectly clear & good: This Matter very much affecting the Trade of the Province, I think Deserves the Care of the Government as well as of the Merchant.

I have also a very strict Charge from their Lordships, to take the Utmost care in the preservation of His Majesty's Woods, Mast Trees, &c. According to the Reservation

in the Royal CHARTER, And the Act of Parliament in that Case made and Provided, And to Support the Surveyor General of the Woods in the Execution of his Office; Their Lordships being Informed that not only great Waste is, and has been Committed upon the Kings Timber, but that the Surveyor himself has been discouraged in the Execution of his Office. Complaint has been also made to their Lordships, as if great Quantities of Timber had been carried from New-England to Spain, and I wish there may have been no ground for it; but certainly it imports us very much, by all ways possible to prevent any Damage to His Majesty by the spoil of His Woods, the carrying on any Illegal Trade, and more especially affording any Assistance to His Majesty's Enemies, in a time of War.

Their Lordships are pleased further to signify their dislike of an Act of Assembly made in the Second Year of His Majesty's Reign, Entitled, An Act in further Addition to An Act Entitled, An Act for making Lands and Tenements liable to the Payment of Debts, &c. The Exceptions taken to that Act shall be laid before you, that so a new Act may be made for the ends therein mentioned, or the old one Revised and Corrected.

I have also very lately received from the Secretary of the Board of Trade, the Act of Parliament for the Incouragement and Regulation of Pitch and Tar, as also a Method for the Raising of Hemp, all which shall be laid before you, and I am of Opinion it is a matter very well worthy your particular Care and Incouragement.

As to the Ordinary Affairs of the Province, about which we are now met, I must leave them in general to your own Deliberate, Prudent and Peaceable Consideration, assuring you that what ever you shall agree upon, shall meet with no delay or difficulty with me, so as it be agreeable to His Majesty's Instructions, consistent with His Majesty's Honour and Authority, and the Security of your own CHARTER.

You may remember that the last Session there were some Votes passed referring to the Accompts of the Moneys upon the Publick Loans, I cannot but think the sooner that matter is perfected, the better.

Another thing I would mention is, the speedy providing an effectual Remedy to prevent a very mischievous and scandalous Practice, lately crept into the Trade of this Town of Boston; I mean the selling of Goods, Merchandizes, and even Houses and Lands by Lottery.

It might be very well also, That an Act were made to prevent the Exportation of Grain, Provision or other necessaries of Life, when they bear a very great price among our selves.

I am to acquaint you, that agreeable to a Vote of Assembly the last Sessions, the Marching Party in the Province of Maine under Capt. Bane are Disbanded.

I have lately received several Letters and Accounts from the Eastward, as to the temper and circumstances of the Indians there, which I shall lay before you, and tho' I cannot believe they will offer at an open War with us, so long as the strict Alliance continues, between His Majesty and the French King; yet of late they have been so In-

solent and Injurious to the Inhabitants of the New-Settlements, that I believe some more effectual measures than have yet been taken, must be entered upon, for the Protection and Incouragement of our People there, taking care at the same time, that no just provocation be given to the Indians.

I have lately with the Advice of the council, directed the Select-Men of Boston, to take the proper care, to prevent the heavy charge, likely to arise to this Town, by the coming in of poor People from Abroad, especially those that come from Ireland, but I should think That, a matter of such weight, as to deserve the thought and care, even of the General Assembly.

Ordered, That Col. Dudley, Mr. Cooke, Capt. Noyes, Capt. Chambers, Capt. Foye and Capt. Gardner, with such as the Honourable Board shall appoint, be a Committee to receive of the Treasurer, such Bills of Publick Credit, in his Custody, as are Torn, Defac'd, or unfit for use, and take an Accompt of the Number, of each of the sorts of the said Bills, and the Sum the whole amounts to, and give the Treasurer Receipt for them, and Burn the said Bills to Ashes, and make Report of their Doings. Sent up for Concurrence.

A Message to the Board by Capt. Noyes to Inquire, Whether any Person is appointed by the Government of Connecticut, to change here, their Bills of Credit, that are torn and unserviceable. Who return'd, That the said Government had Requested Col. Fitch, to do that Service, and that he expected in a short time to be furnish'd with Bills to do it. [37]

A Petition of Samuel Oumptowanon, Thomas Pegun, and Benjamin Tray, Indians, Inhabitants of the Town of Natick, in behalf and per order of the said Town, was presented to the House & Read, praying, That by the assistance of some meet Person or Persons such as the Honourable Court shall appoint, They may be enabled to Sell Twelve Acres of their Land, the produce thereof to be Improved in the Repairing of their Meeting House, now gone much to decay.

A Petition of Elizabeth Vergoose of Boston, Widow, Relict of Isaac Vergoose, was presented to the House and Read, praying, That she may be enabled, and impowred, to make Sale of a House and Land in the said Town, which her said late Husband Died seized of, for the Payment of Debts, and the Maintenance and Education of her Children.

A Petition of Samuel Hayward, John Marsh and 15 others, praying as entred the 12th of June last, Read again, and

The Question being put, Whether the Prayer of the Petition be Granted?

It pass'd in the Negative.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Tobis 5. Die Nobembris 1719. A. M.

A Letter from Mr. Agent *Dummer*, Dated *Sept. 9th 1719.* with several Papers referred to therein, and came inclosed therewith, were laid before the House by Mr. Speaker and Read.

His Excellency the Governours Speech Read again.

Post Meridiem.

A Petition of *John Smallpiece*, presented to the House & Read, praying, That he may be allowed Three Pounds, for 24 Tuns of Ballast, he put on Board the Ship *Anelope* a Transport, in the Expedition designed against *Canada*, Anno 1711. for which he has not yet received any Pay.

Resolved, That the Sum of Three Pounds be allowed and paid out of the Publick Treasury to *John Smallpiece*, in answer to his said Petition.

Sent up for Concurrence.

The several Petitions of *Adam Winthrop* and *Edward Hutchinson* Proprietors of Lands in the Eastern parts of this Province, and of *John Penhallow* with 51 others Inhabitants of *George Town* on *Arrowsick Island*, were presented to the House & Read, praying, That they may be Protected from the Insults of the *Norridgawog* Indians, who have lately killed several of their Cattle, and threaten to kill the People, manifesting a very hostile Disposition.

His Excellency the Governours Speech Read again, and considered Paragraph by Paragraph.

In Consideration of that Paragraph of His Excellency's Speech relating to the Act Intituled, *An Act in further addition to an Act Intituled, An Act, for making Lands and Tenements liable to the payment of Debts, &c.*

Ordered, That Mr. *Cooke*, and Capt. *Fullam* be a Committee to prepare and lay before the House a Draught of a Bill in the Lieu of the Act Intituled, as aforesaid, which is not approved, having regard to the Exceptions made against it.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 6. Die Nobembris 1719. A. M.

THE several Papers referred to in His Excellency the Governours Speech, brought down and Read.

Ordered, That Mr. *Cooke*, Mr. *Lindall*, Col. *Dudley*, Capt. *Fullam*, Maj. *Stoddard*, and Capt. *Noyes*, be a Committee to consider of His Excellency the Governours Speech, and lay before the House what they think proper to be done upon the several Articles thereof.

Ordered, That Capt. *Oliver Noyes*, *Charles Chambers*, Esq; Mr. *William Clark*,

Capt. *John Gardner*, Mr. *Nathaniel Coffin*, Mr. *John Paine*, and *Francis Fullam*, Esq; with such as the Hon. Board shall appoint, be a Committee to consider Mr. Agent *Dummers* last Letter, and prepare and lay before the Court, a Draught of what they think proper to be written to him at this time from this Court.

Sent up for Concurrence.

The Petitions of *Adam Winthrop*, *Edward Hutchinson*, and *John Penhallow* with 51 others, praying, as entered Yesterday Read again, and referred to the Committee appointed to consider of his Excellency the Governours Speech. [38]

A Bill Intituled, *An Act for the suppressing of Lotteries*. Having been passed at the Board to be Engrost. Was Sent down for Concurrence. Read.

A Petition of *Josiah Edson* with 60 others of the South Precinct in *Bridgewater*, was presented to the House & Read, praying, That they may be set off, and constituted a distinct and separate Township

Ordered, That the Petitioners serve the other part of the Town of *Bridgewater* with a Copy of this Petition, and that a Hearing be granted thereon before this Court on Wednesday the 25th Currant, If they have any thing to Object, why the Prayer thereof should not be Granted. Sent up for Concurrence.

Ordered, That a Message be sent up to the Board by Col. *Dudley* and Mr. *Lindall* requesting His Excellency the Governour, That the Paragraph in the Act of Parliament, respecting a Premium on Pitch and Tar, The Methods of making Tar, and the Directions for the raising of Hemp, which his Excellency was pleased to send down to the House, may be Printed in order to be made Publick through the Province.

A Petition of *Samuel Clark* of *Ipswich*, was presented to the House & Read, praying Relief, being rendred unable to Labour for a Livelyhood by wounds he formerly received in the Service against the Indian Enemy.

Resolved, That the Sum of Ten Pounds be allowed and paid out of the Publick Treasury for the Relief of the Petitioner. Sent up for Concurrence.

A Petition of Ensign *Hugh Pike* of *Newbury*, was presented to the House & Read, praying consideration and allowance towards his Support, being creepled and rendred unable to Labour for his Maintenance, by a wound he formerly received in the Service against the Indian Enemy.

Resolved, That the Sum of Fifteen Pounds, be allowed and paid out of the Publick Treasury, to *Hugh Pike* the Petitioner for his Relief:

Sent up for Concurrence.

John Appleton, Esq; brought down several Letters, which His Excellency the Governour had received, giving Account of the Behaviour of the *Kennebeck* Indians, which was Read.

A Message from the Board by Mr. Secretary *Willard*, That the House do now come up to attend the Hearing appointed the 30th of *May* last, to be this Day on the Petition of *John Yeats*, *Nathaniel Gold*, &c. of *Harwich*, Mr. Speaker and the

178 Journal of the House of Representatives

House went up accordingly, and when the Parties were fully heard, they returned to their own Chamber.

Post Meridiem.

A Bill Intituled, *An Act for suppressing of Lotteries*, Read a 2d and 3d time, and passed a Concurrence, That the Bill be Engrost.

The Petition of *Samuel Oumptowanon*, *Thomas Pegun* and *Benjamin Tray*, praying as entered the 4th Currant, Read again. And

Resolved, That the prayer of the Petition be Granted. And that *Francis Fullam*, Esq; be appointed to take care that the Sale be just and equal, and the Purchase consideration, duly and seasonably imployed for the good use mentioned in the Petition. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 7. Die Nobembris, 1719. A. M.

AN Engrost Bill Intituled, *An Act for the suppressing of Lotteries*. Read and *Resolved*, That the Bill do pass to be Enacted.

The Petition of *Elizabeth Vergoose*, praying as entered the 4th Currant, Read again.

A Petition of *John Hayes* Keeper of the *Light-House* on *Beacon-Island*, praying, That his Salary may be augmented and made Eighty Pounds *per* Year. Sent down from the Board, Entered thereon *viz.* In Council Nov. 6th 1719. Read and well-Recommended. Read.

And then the House Adjourn'd till Monday next, Three a Clock Afternoon.

B O S T O N : Printed & Sold by B. Green. 1719. [39]

VOTES

Of the House of Representatives.

Lunæ 9. Die Novembris 1719. P. M.

MR. *Cooke* from the Committee appointed to consider His Excellency the Governours Speech, &c. offered their Report on that Paragraph thereof which relates to the Eastern Indians, which he Read in his Place, and

A Petition of *John Tompson*, in behalf and by order of the Select-men of the Upper Parish in *Kittery* was presented to the House and Read, praying an Explanation of some Laws of this Province mentioned therein.

The Petition of *John Hayes* Keeper of the Light-house, praying as entred the 7th Currant, read again, and In answer to the said Petition.

Resolved, That the Sum of Seventy Pounds be Granted to the Petitioner for his Service the Year coming, to be Paid Quarterly as it becomes due.

Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 10. Die Novembris 1719. A. M.

THE Report of the Committee for Suppressing the Insolencies, of the *Kennebeck* Indians, Read again, and long Debated, and several Paragraphs thereof Voted.

Post Meridiem

According to the Order of the Day pass'd the 4th of *June* last, appointing a Hearing before this House on the Petition of *John Barker*, *Ben. Stevens*, and *Robert Swan*.

The said Petitioners *Barker* and *Swan*, were admitted into the House, and the said Petition was Read, and the Petitioners, fully heard thereon and then withdrew.

The Plat of 33 Acres of Land, laid out for Col. *John Higginson*, Inspected and further considered; And the Question being put, *Whether the Land Platted therein be Confirmed to the said Higginson on the Condition of his paying for it as proposed, Provided it Intrench upon no former Grant?* It pass'd in the Negative.

Ordered, That Capt. *John Gardner*, and Capt. *Joseph Burnap*, be a Committee, to Investigate, Discover and Settle the Bounds of Printer-Green's Farm, now Claim'd by *John Barker* and others, pursuant to the Original Grant and Plat thereof now exhibited to this House, Notifying the present Owners of the said

Land when they attend the Service, That they may be present, if they see cause, and make Report of their Doings to this House.

Mr. Treasurer *Allen* was admitted into the House, and Exhibited an Accompt of the present state of the Treasury, which was Read, and he withdrew.

A Bill Intituled, *An Act in further Addition to, and Supplement of, an Act Intituled, An Act for making Lands and Tenements liable to the Payment of Debts:* Brought into the House by the Committee appointed. And Read.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 11, Die Novembris 1719. A. M.

THE Report of the Committee for Suppressing the Insolencies of the *Kennebeck* Indians further Considered and Voted with some Amendments, and Sent up for Concurrence.

A Bill Intituled, *An Act in further Addition to, and Supplement of an Act, Intituled, An Act for making Lands and Tenements liable to the Payment of Debts.*

Read a 2d time.

A Message from the Board by Mr. Secretary *Willard*, That the House do now come up to attend the Hearing appointed the 20th of *June* last, to be on the Petition of [40] *Samuel Banister*. Mr. Speaker and the House went up accordingly. And when the Parties were fully heard, Mr. Speaker, and the House return'd to their own Chamber.

A Petition of *John Oulton* and *Cornelius Waldo* of *Boston* Merchants, praying, That by an Act of this Court they may be enabled to review a Case between them and *Arthur Savage* of *Boston*, Marriner, before the Superiour Court of Judicature, now sitting in *Boston* for the County of *Suffolk*, for reasons rendred in the said Petition.

And a Petition of the said *Arthur Savage*, praying, and shewing reasons, that the prayer of the said Petition may not be Granted, or that he may be heard by his Council learned in the Law before this Court against the prayer thereof. Sent down from the Board, and the following Vote passed on the Petition of the said *Oulton* and *Waldo*, viz. In Council, *Nov. 5. 1719.* Read & Ordered, That there be a Hearing had on this Petition, on *Friday* next, and that the Petitioners serve the adverse Party with a Copy thereof. Sent down for Concurrence.

Read & Concurr'd.

A Petition of *Christopher Taylor* of *Boston*, praying, That he may be enabled to have a new Tryal of a Case, between him and the Persons acting as Executors of his late Honoured Father *James Taylor*, Gent, late Treasurer of this Province, before the next Inferiour Court of Common Pleas, to be held at *Boston* for the County of *Suffolk*, for reasons therein assigned. Sent down from the Board, pass'd on there, viz. In Council, *Nov. 11th 1719.* Read & Ordered, That the

prayer of the Petition be Granted, and that the Petitioner have leave to bring in a Bill accordingly. Sent down for Concurrence. Read & Concurr'd. The Petitioner to pay the Costs of the Prosecution that has been, if not already paid.

Col. *Dudley* pursuant to the Order of the House, pass'd *June 11th 1719*. Presented a Platt of the Land lying between the Towns of *Oxford, Leicester* and *Brookfield*, containing 10751 Acres.

Ordered, That the said Ten Thousand seven Hundred and fifty one Acres, be Sold to the highest Bidders, the Produce to be returned into the Publick Treasury, for the use of the Province. And that *William Dudley*, Esq; *Thomas How*, Esq; and Maj. *Thomas Tilestone*, be a Committee, to make Sale of the said Land, to such Persons as are most likely to settle on it, no one Person to Purchase above the Quantity of 300 Acres, saving that 400 Acres may be laid out in the said Tract, in such convenient place and form, as shall be approved by the said Committee to fulfill that half of the Grant of 800 Acres made to *Herbert Pelham* Esq; which fell to *Isaac Winslow*, Esq; and his Sister. Sent up for Concurrence.

A Petition of *Samuel Banister*, praying as entred the 20th of *June* last, on which there has been a Hearing this Day. Sent down from the Board pass'd upon there, viz. In Council *Nov. 11th 1719*. A full Hearing being had on this Petition before the whole Court, Ordered, That the Petition be Dismist.

Sent down for Concurrence. Read and Concurr'd

A Message from the Board by *Benjamin Lynde*, Esq; That the Hearing on *Andrew's* Petition, appointed to be to Morrow be deferred till *Friday* next in the Afternoon, the Parties not being prepared, which was agreed to by the House.

Maj. *Stoddard* from the Committee appointed to take a Survey of the Land between *Northfield* and the place where *Sowhegan* River, empties it self into *Merrimake River*, laid before the House a Report of their Proceedings therein, which was Read.

A Petition of *Zacheus Packerd*, *Thomas Hayward*, and 41 others, of the North part of the Town of *Bridgewater*, was presented to the House & Read, praying, That the Time and Place appointed by a late Order of this Court for their Erecting a Meeting-House may be altered, as in the said Petition is proposed, for reasons therein alledged.

A Petition of *Edward Fobes* and three others of the North Precinct, in the Town of *Bridgewater*, was presented to the House & Read, praying, That a Vote of the said Precinct, passed the 6th of *November* Currant, That their Meeting-House (with submission to this Court) continue in the Place where now it is, until the East part of the said Town shall orderly obtain a Precinct, &c. may be confirmed for reasons therein alledged.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

VOTES of the House of Representatives.

Jobis 12. Die Novembris 1719. A. M.

THE Petition of *John Yeats, Nathaniel Gould, &c.* Praying as entred the 30. of *May* last, and on which there was a Hearing before this Court, the 6th Currant. Sent down from the Board pass'd on as follows, viz. In Council, Nov. 10th 1719. A Hearing having been had on this Petition before the whole Court on Friday last. Voted, That the prayer of the Petition be so far Granted, that the Petitioners be annexed to *Eastham*, and included by a straight Line to run from a Pine Tree, or stump near the head of great *Namskeket*-Marsh, to a Rock by the Water side, Markt T. a little to the Westward of a Point that lies opposite to the Westernmost Point of *Chequeset* Neck, and that the other Family, within the said Line, belong likewise to the Town of *Eastham*.

Sent down for Concurrence. Read & Non-Concurr'd. And,

Voted, That the prayer of the Petition be so far Granted, That the Petitioners and all the Inhabitants Lands and Estates that are or shall be included by a streight Line, to be Run from a Pine Tree or stump, near the head of great *Namskeket* Marsh, to a Rock by the Water-side Markt T. a little to the Westward of a Point, that lies opposite to the Westernmost Point of *Chequeset* Neck, be annex to the Town of *Eastham* in all things relating to the Support of the Publick Worship of G O D ; but in all other respects to belong to the Town of *Harwich* as formerly. Sent up for Concurrence.

Post Meridiem.

The Petition of *Zacheus Packerd, Thomas Hayward* and 41 others, of the North part of the Town of *Bridgewater*, praying as entred Yesterday, Read again.

The Petition of *Edward Fobs* and three others of the North Precinct in *Bridgewater*, praying as entred Yesterday Read again.

The Parties preferring both the said Petitions, being attending, and very desirous to have the Affair their Petitions relates to, settled and determined in order to their speedy and peaceable settlement of a Minister.

Ordered, That they be heard before this Court to Morrow Morning at Ten a Clock. Sent up for Concurrence.

A Petition of *Thomas Fleet* of *Boston*, Printer, who intermarried with one of the Daughters of *Isaac Vergoose* late of *Boston* Carter, was presented to the House & Read, praying, That the Petition of *Elizabeth Vergoose*, Praying as entred the 4th Currant may not be Granted, and both the said Petitions were sent up to the Board, to be there proceeded on first.

A Petition of *John Bixby* of *Boxford* was presented to the House & Read, shewing, That being in the Service, under Capt. *Josiah Willard*, in the Year 1712. against the Indian Enemy, he was surprized and taken Captive by them, and so

remained for the space of Three Months; lost his Arms, Cloathing, &c. and paid *l. 5 15 s.* for his Ransom over and above what was paid by the Province, praying consideration for the whole. And the Question being put, *Whether any thing be allowed for his loss of his Arms, Cloathing, &c.* It pass'd in the Negative.

Resolved, That the Sum of Five Pounds, fifteen Shillings be allowed and paid out of the Publick Treasury, to *John Bixby* the Petitioner to Reimburse him what he paid for his Ransom. Sent up for Concurrence.

An Accompt of the Expençe of *l. 2117 2 s. 9 d.* half peny, for new Works and Repairs done at Castle *William*, since *Nov. 15th 1718*. Sign'd *William Dummer* by Order of the Committee, being the Sum of *l. 761 7 s. 2 d.* half peny more than the Committee have yet received out of the Treasury. Read & Ordered, That *Mr. Cooke*, *Maj. Stoddard* and *Mr. Lindal* be a Committee to Examine and Audit the said Accompts and make Report to the House.

A Bill Intituled, *An Act further in Addition to, and Supplement of, An Act Intituled, An Act for making Lands and Tenements liable to the Payment of Debts.*

Read a 3d time, and pass'd to be Engross'd. Sent up for Concurrence.

The Petition of *Thomas Sanford* and *Thomas White* in behalf of the Town of *Mendon*, praying as entred the 23d of *June* last, Read again.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Ueneris 13. Die Novembris 1719. A. M.

A Petition of *John Barrel* of *Boston*, presented to the House & Read, praying, That he may be Impowred to make Sale of a House and Land in the said Town, which was given to him, and his late Wife *Abiah*, and to her Heirs and Assigns, which in her Life time, they Mortgaged [42] (to obtain Money to build thereon) that so he may Redeem the said Estate out of the hands of the Mortgagee, who has sued out his Mortgage and is in the possession of the Estate, although it is of much more Value, than the Money due by vertue of the said Mortgage amounts to. Committed.

A Petition of *Samuel Waldron*, *Joseph Atwood* and *Nathan Walker*, Select-Men of the Town of *Dighton*, praying as entred the 16th of *June* last, Read again.

And the Question being put, *Whether the prayer of the Petition be Granted?* It passed in the Negative. The Plat presented to be confirmed, being objected to by some of the Neighbouring Towns and Proprietors.

A Message from the Board by *Mr. Secretary Willard*, That the House come up to attend the Hearing appointed to be this Day on the Petition of *John Oulton* and *Cornelius Waldo*, Merchants.

Mr. Speaker and the House went up accordingly. And the Parties being fully heard they return'd again to their own Chamber.

A Report of *Penn Townsend*, &c. a Committee appointed this Session to Re-

ceive of the Treasurer, Take an Accompt of, and burn unserviceable Bills of Credit, Presented to the House and Read, Shewing that they had Received & Burnt the Sum of *l. 6583 8 s. 9 d.* of the said Bills, at their exprest value, *l. 3960. 15 s. 11 d.* being Bills Sign'd with three hands only *l. 2622 12 s. 10 d.* Bills received of the Trustees for the *l. 50000* Loan.

Resolved, That the said Report be accepted, and that the Treasurer be Discharged accordingly. Sent up for Concurrence.

A Petition of *Thomas Maule* of *Salem* and *John Maule* his Son was presented to the House and Read, praying, That a Deed of Sale which the said *Thomas* made to the said *John* of an Estate in Houses and Lands in the said Town, and is Recorded in the said County, may by an Act of this Court be annull'd and made void, The Clerk that wrote the said Deed having Drawn the same so as, to make an Estate Tayl, and the Vender, and Vendee Desir'd, and Design'd it should be an Estate in Fee Simple. And the Question being put, *Whether the prayer of the Petition be Granted?* It pass'd in the Negative.

A Petition of *Samuel Spinney* of *Kittery*, was presented to the House and Read, Complaining that *Nathaniel Kenney* of the said Town, has entered on about 4 Rod in breadth of his Land, Praying this Court to send 3 indifferent Persons to Run & settle the Line between them, the Petitioner being a poor Man, not able to contest the matter in the Law.

And the Question being put, *Whether the Prayer of the Petition be Granted?* It pass'd in the Negative.

A Message from the Board by *Nathaniel Paine* Esq; That the House now come up to attend the Hearing appointed this Day upon the Petitions of sundry Inhabitants of the North Precinct in *Bridgwater*, and a Hearing upon the Petition of *John Turner*, and others of the East Part of the Town of *Salem*.

Mr. Speaker and the House went up accordingly. And the Parties to the *Bridgwater* Petitions were admitted, but it appearing that one of the Parties were not duely Impowered to Represent those they appeared for they were Dismist.

And the Parties to the Hearing on the Petition of *John Turner* were admitted, and being heard were Dismist. And Mr. Speaker and the House return'd to their own Chamber.

A Message from the Board by *Nathaniel Paine* Esq; That the Hearing appointed to be this Day, on the Petition of *Anne Andrews*, be continued to *Tuesday* next, both parties desiring the same.

Which was agreed to by the House.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 14. Die Novembris, 1719. A. M.

MR. *Cooke* from the Committee appointed to Examine the Accompts of work done at *Castle William*, Reported, That they had Perused and Examined the said Accompts: and find them Right cast and well Avouch't.

Resolved, That the said Accompts be accepted and that the Ballance thereof viz. *l. 761. 7 s. 2 d.* half penny, be allowed and paid out of the Publick Treasury to the said Committee, to Discharge the said Accompt. And that the Sum of Forty Pounds, be given to the said Committee as a Gratuity for their good Service. Sent up for Concurrence.

The Accompts of *Henry Dwight*, *John Ashley*, and *Luke Hitchcock*, Commissioners, for Letting out the Proportion of Credit Bills that belong to the County of *Hampshire*, in the *l. 100000* Loan, shewing their Proceedings in that Trust, from *Feb. 13. 1716-17.* to *Feb. 13. 1717-18.* and from thence to *Feb. 13. 1718-19.* were laid before the House and inspected.

Ordered, That the said Accompts be Committed to the Committee, that Examin'd the Accompts of the Commissioners of the other Counties, the last Session to Examine the same and make Report to the House.

Ordered, That Mr. Speaker Issue his Warrant to Capt. *Samuel Plaisted* Representative of the Town of *Berwick*, and to Mr. *Elihu Gunnison*, Representative of the Town of *Kittery*, Requiring them forthwith to attend His Majesties Service in this House.

The Petition of *John Oulton* and *Cornelius Waldo*, sent down from the Board Pass'd on there viz. In Council *Novemb. 14. 1719.* A Hearing having been had on this Petition Yesterday before the whole Court. *Ordered* That the Prayer thereof be not Granted. Sent down for Concurrence. Read and Concurr'd.

A Vote of the Board Pass'd Yesterday for a Survey to be taken from the Mouth of *Merrimake* River, up so high as where *Sohego* River fall's thereinto.

Sent down for Concurrence. Read.

And then the House Adjourn'd till Monday next, Three a Clock Afternoon.

VOTES of the House of Representatives.

Lunæ 16. Die Novembris 1719. P. M.

AN Account of *John Clark, Samuel Thaxter, Oliver Noyes, Elisha Cooke, and Adam Winthrop* Commissioners for Letting out the Proportion of the *l. 100000* Loan of Bills of Publick Credit belonging to the County of *Suffolk*, presented to the House & Read, shewing their proceedings in that Trust, from the 13th of *Feb. 1717, 18.* to the 13th. of *Feb. 1718, 19.*

Ordered, That the said Accompt be Committed to the Committee that was appointed the last Session to consider, and make report on the Accompts of the Commissioners of the several Counties for the *l. 100000* Loan.

The Petition of *John Turner, Jacob Manning, Philip English, and William Pickering*, in behalf of themselves, and Others the Eastern Parish in *Salem*, sent down from the Board, pass'd on there, *viz.* In Council, *Nov. 14. 1719.* Voted, That *John Appleton, John Clark* and *Addington Davenport* Esqrs; or any Two of them, with such as the Honourable House of Representatives shall appoint, be a Committee to go to *Salem*, on Monday the 23d Instant, and there to Inform themselves, of what is necessary, and to make report to this Court, what Line they think proper, to run between, the first Parish, and the East Parish, in the said Town of *Salem*, unless the Parties shall be before agreed.

Sent down for Concurrence. Read and Concurr'd, and

Ordered, That *Elisha Cooke, Charles Chambers, and William Dudley* Esqrs; and Capt. *Richard Kent* be added to the Committee of the Honourable Board in that affair. Sent up for Concurrence.

A Message to the Board by Capt. *Fullam*, and Capt. *Gardner* to Inquire whether the Board has pass'd upon the Vote of this House pass'd the 11th Current, for Suppressing the Insolencies of the *Kennebeck Indians*: Who return'd that an Answer will be sent down.

The Report of *John Staddard, &c.* the Committee that were appointed to take a Survey of the Land from the Town of *Northfield*, to *Merrimake-River, &c.* Read again, and sent up to the Board.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Partis 17. Die Novembris 1719. A. M.

A Message from the Board by Mr. Secretary *Willard*, That the Hearing appointed to be this Day on the Petition of the Town of *Hatfield* be continued till to Morrow, the Parties requesting the same: Which was agreed to by the House.

The Vote of the Board for Taking a Survey of *Merrimake-River*, so high as *Sohegan-River*, Read again, and Non-Concurr'd.

Whereas for diverse Years past there has been an uncomfortable Difference between

this Government, and the Government of New-Hampshire, relating to the Bounds between them, to the Disturbance of many Inhabitants Dwelling near the said Bounds.

For Remedy whereof:

Ordered, That *Addington Davenport*, *Elisha Cooke*, and *William Dudley*, Esqrs; be a Committee fully Impowred to joyn with a Committee of the said Government of *New-Hampshire*, to Run, State, and Mark out the Divisional Line, and Boundaries between this Province and the said Province of *New-Hampshire*, and to pursue and follow the Directions and Rules, of the Royal CHARTER of this His Majesty's Province, as near as may be in their Proceeding therein; And make Report of their Doings to this Court, for Confirmation.

Sent up for Concurrence.

Whereas the Divisional Line, and Boundaries between this Province, and the Province of New-York have never been Run, Mark'd out, and Stated: and New Plantations, are Issuing forth in that Government, as well as this.

To the Intent there may be no Trespassing from, or on either Government:

Ordered, That *Samuel Thaxter*, *John Stoddard*, and *William Dudley* Esqrs; be a Committee, to joyn with such as the Government of *New-York*, shall appoint, to Run and Settle the Divisional Line and Boundaries between the said Provinces, pursuant to their respective legal Grants.

A Bill Intituled, *An Act Prohibiting the Exportation of Candles, at a Price Limited.* Read a first time.

The Petition of *Elizabeth Vergoose*, praying as entred the 4th Currant, sent down from the Board, pass'd on there, *viz.* In Council Nov. 17th. Read & Dismist; There being a sufficient Power given in the Will to the Executrix, with the approbation of the Overseers, to make Sale of any Part of the Real Estate of the Testator, for the use therein mentioned. Sent down for Concurrence.

Read and Concurr'd. [44]

Post Meridiem.

A Bill Intituled, *An Act for Prohibiting the Exportation of Candles at a Price limited.* Read a 2d time.

And the Question being put, *Whether the Bill be Read a 3d time?*

It pass'd in the Negative.

An Accompt of *James Halkerson* Surgeon, of his Medicines, and Applications to Serjeant *Daniel Tucker* under Cure of a Gunshot-Wound in his Body received in the Service, in the late War, with the Indian Enemy, from the 10th of *Sept.* 1718. to the 3d of *June* 1719. and for Medicines, &c. *Octob.* 1718. amounting to £. 12 11 s. 3 d. presented to the House for payment. Committed.

The Vote of this House for Runing the Line between this Province and the Province of *New-Hampshire*, pass'd this Day. Sent down from the Board, pass'd

upon there as follows, *viz.* In Council, *Nov.* 17. 1719. Read & Concurr'd with an Amendment; and Ordered, That *Thomas Fiich*, Esq; and Capt. *Gardner*, be joined with the Committee appointed by the Hon. House for the Affair above. Sent down for Concurrence. The Amendment being to Insert next after the Words, (Proceedings therein) the following Words, *viz.* [The Committee above-said, before the Line be actually Run, agree with the Committee of the Government of *New-Hampshire*, upon the Method for doing the same agreeable to the Royal Charter, as near as may be.]

Read & Concurr'd, with the Persons added to the Committee, but not with the Amendment.

A Petition of *John Gaud* Administrator of the Estate of *George Worthilake*, late Keeper of the Light-House on *Beacon-Island*, was presented to the House & Read, praying allowance for the said *Worthilake's* Service for about eight Months before he Died, not yet paid for, and for *l.* 25 of Province Bills, which in all Probability he lost when he was Drowned, and for Fences, &c. he made on the said Island. Committed.

A Message from the Board by Mr. Secretary *Willard*, That the House now come up to attend the Hearing, Ordered to be this Day on the Petition of *Anne Andrews*.

Mr. Speaker and the House went up accordingly.

And when the Parties were heard, returned again to their own Chamber.

A Message from the Board by *John Appleton*, Esq; That the Hearing appointed to be this Day on the Petition of *Thomas* and *Patience James*, may be continued to to-Morrow. Which was agreed to by the House.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 18. Die Novembris, 1719. A. M.

Ordere*d*, That Mr. Speaker Issue his Warrant to *Isaac Little*, Esq; Representative of the Town of *Marshfield*, and to Mr. *John Houghton*, Representative of the Town of *Lancaster*, requiring them forthwith to attend His Majesty's Service in this House.

An Accompt of *Abraham Prebble*, *John Leighton*, *Samuel Cane* and *Samuel Plaisted*, Commissioners for the Letting out the Proportion of the *l.* 10000 Loan of Bills of Publick Credit, that belonged to the County of *York*, shewing their proceedings therein, from *April* 23d 1718. to *April* 23d 1719. presented to the House & Read, and committed to the Committee appointed the last Sessions to Inspect such Accompts.

A Message from the Board by Mr. Secretary *Willard*, That the House now come up to attend the Hearing appointed to be this Day on the Petition of *Thomas James*, and *Patience* his Wife.

Mr. Speaker and the House went up accordingly.

And when the Parties were heard, return'd again to their own Chamber.

A Letter from the Hon. *Samuel Cranston*, Esq; Governour of *Rhode-Island*, to his Excellency the Governour, Dated *Newport*, Nov. 6. 1719. Shewing, That the said Government has appointed a Committee to Run the Line, between them and the late Colony of *New-Plymouth*, on the 25th Currant, desiring this Government to Appoint a Committee to join with them in that Affair. Sent down from the Board some Days past, with a Vote pass'd there the 11th Currant, for Concurrence, which with some Amendments was Concurr'd, and is as follows *viz.* Voted, That the Secretary send a Letter by Express to the Governour of *Rhode-Island*, in Answer to his Letter, about Runing the Line, &c. Signifying, That this Government, are willing to join with them in the Review of the Ancient and known Bounds, between this Government and that, where the late Colony of *New-Plymouth* touches on the said Colony of *Rhode-Island*; but that the time appointed is too near, and therefore to propose, that the said Service be attended on the first *Wednesday* of *January* next.

Post Meridiem.

A Message from the Board by Mr. Secretary *Willard*, That the Hearing appointed to be this Day, on the Petition of the Town of *Hatfield*, be continued to *Friday* next the Parties requesting the same. Which was agreed to by the House.

Ordered, That the Hon. *Nathaniel Byfield*, *Nathaniel Pain* and *Samuel Thaxter*, Esqrs; be a Committee to join with the Committee of the Government of *Rhode-Island*, in Reviewing the Bounds between this Government and that, where the late Colony of *New-Plymouth* touches that Government, pursuant to the Vote of this Day. Sent up for Concurrence.

A Petition of *John Pool* and 21 others of the new Precinct in *Lynn*, was presented to the House & Read, praying, That they may be dismiss from the said Precinct, and be allowed to attend the Publick Worship, where they shall find it most convenient for them, being unable to sustain the Precinct-Charge. And the Question being put, *Whether the prayer of the Petition be Granted?*

It pass'd in the Negative.

A Petition of *Joseph Mallinson* of *Plympton*, was presented to the House & Read, Complaining of unjust and illegal Imprisonment, whereby he is a great sufferer, and can obtain no Remedy, praying this Court to interpose their Power and Authority for his Relief and Inlargement.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

VOTES of the House of Representatives.

Novis 19. Die Novembris 1719. A. M.

A Bill Intituled, *An Act to Enable Christopher Taylor of Boston to bring forward a New Tryall and Re hearing of a Cause between the Executors of James Taylor deceased, and the said Christopher Taylor, at the next Inferiour Court of Common Pleas, to be held at Boston, within the County of Suffolk*; having been pass'd at the Board to be Engrost: was sent down for Concurrence.

Read twice and pass'd a Concurrence.

A Petition of *Mary Adams* Relict Widow and Executrix of the last Will and Testament of Capt. *Joseph Adams* late of *Chelmsford*, was presented to the House and Read, praying, That she may be Enabled to Re-convey, a Tract of Land of 40 Acres to *Joseph Barret*, which the said *Barret*, had Conveyed to her said late Husband, in his life time for reasons therein alledg'd.

A Petition of *Enoch Greenleaf* was presented to the House and Read, praying, That he may be Enabled to bring forward, his Appeal from a Judgment of the Inferiour Court of Common Pleas in the County of *Suffolk*, in a Cause between him and *Seth Sweetser*, from which he is fore-closed in the Law, for reasons therein alledg'd.

Ordered, That the prayer of the Petition be Granted, and that the Petitioner have leave to bring in a Bill accordingly. Sent up for Concurrence.

The Petition of *Joseph Mallinson*, praying as entred Yesterday; Read again, and

The Question being put, *Whether the prayer of the Petition be Granted?*

It pass'd in the Negative.

John Otis Esq; brought down the Bill Intituled, *An Act in further addition to, and Supplement of an Act Intituled, An Act for making Lands and Tenements liable to the payment of Debts*. Concurr'd at the Board with an amendment: The said Amendment Read and agreed to.

Post Meridiem.

Resolved, That the Sum of Two Thousand Pounds of Bills of Publick Credit on this Province, be further and forthwith made, One Thousand Pounds thereof to be Printed off from the Middle Plate, and One Thousand Pounds thereof, off from the lowest Plate, by the Committee that made the last Bills, to be paid therefor, as for the last Bills they made: That they Deliver them to the Treasurer, Taking his Receipt for the same.

That the Treasurer be, and hereby is Directed and Impowred, to Issue forth and Emit the said Two Thousand Pounds of Bills together with Eight Thousand Pounds more of the Bills of Publick Credit, that are or shall be received into the Treasury, for the payment of the Publick Debts of the Province already con-

tracted, for the Defence and Support of the Government, and the necessary Protection, and Preservation of the Inhabitants of this Province, and for the Subsisting of Forts, and Garrisons and Wages arising for their Service, for Payment of Grants, Salaries and Allowances made, or to be made by this Court according to such Draughts, as from time to time shall be made upon him by Warrant or Order of the Governour or Commander in Chief, for the time being, by and with the Advice and Consent of the Council. And the said Bills shall Pass out of the Treasury, at the value therein expressed equivalent to Money, and shall be Taken, and accepted in all Publick Payments at the advance, and after the Rate of *Five Pounds per Cent.* more. And as a Fund and Security for the same, There be, and hereby is Granted to His Most Excellent Majesty, to the Ends and Uses as aforesaid, a Tax of Ten Thousand Pounds, to be Levyed on Polls and Estates both Real and Personal, within this Province, according to such Rules, and in such Proportion, upon the several Towns and Districts, within the same, as shall be agreed on, and ordered, by the Great and General Court or Assembly of this Province at their Session in *May 1723.* and paid in, to the Treasury on or before the last Day of *December*, next after. Sent up for Concurrence.

A Petition of *Josiah Willard* Secretary of this His Majesty's Province, was presented to the House and Read, praying, That the Allowance for his Service in the said Office may be augmented, for Reasons alledged in the said Petition.

Committed.

An Engross'd Bill Intituled, *An Act to Enable Christopher Taylor of Boston, to bring forward a New Tryall and Re-hearing of a Cause between the Executors of James Taylor, Deceas'd, and the said Christopher Taylor, at the next Inferiour Court of Common Pleas, to be held at Boston within the County of Suffolk.* Read and

Resolved, That the Bill do pass to be Enacted.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [46]

Veneris 20. Die Novembris 1719. A. M.

O*rdere*d, That Capt. *Noyes* and Mr. *Tay*, wait on the Reverend Mr. *Benjamin Colman*, and in the name of this House, request a Copy of his Sermon Preached before this Court Yesterday, in the Publick Audience, in order to its being Printed.

A Bill Intituled, *An Act requiring the several Towns within this Province to be provided with Stocks.* Read three times and pass'd to be Engrost.

Sent up for Concurrence.

An Accompt of *John Stoddard*, *Francis Fullam* and *John Shipley*, the Committee sent by an Order of this Court passed the last Session, to take a Survey of the Land between *Northfield* and *Merrimake* River, &c. of their Time, Charge of Subsistence of the Surveyor, and of several other Men and their Horses, that at-

tended them in that Service, amounting to the Sum of *l. 132 2 s. 1 d.* presented to the House for payment.

Resolved, That the Sum of One Hundred thirty two Pounds, two shillings and a peny be allowed and paid out of the Publick Treasury to the said Committee, to Discharge the said Accompt. Sent up for Concurrence.

Post Meridiem.

The Vote of this House, for suppressing the Insolencies of the *Kennebeck* Indians, was sent down from the Board Yesterday, Concurr'd with several Amendments, which were Read and Debated.

And the Question being put, *Whether the House Concur with the said Amendments?* It pass'd in the Negative.

A Message from the Board by Mr. Secretary *Willard*, That this House do now come up to Attend the Hearing Ordered to be this Day, upon the Petition of the Town of *Hatfield*, between the said Town and the Town of *North-Hampton*, respecting the Divisional Line between the said Towns.

Mr. Speaker and the House went up accordingly, and the Parties were heard.

And Mr. Speaker and the House returned again to their own Chamber.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 21. Die Novembris, 1719. A. M.

AN Engrost Bill Intituled, *An Act in further Addition to, and Supplement of, An Act Intituled, An Act for making Lands and Tenements liable to the Payment of Debts.* Read and

Resolved, That the Bill do pass to be Enacted.

A Bill Intituled, *An Act for the Regulation of the Decrees, and other Proceedings of the several Judges of Probate in the respective Counties of this Province, and of Appeals therefrom.* Pass'd at the Board to be Engrost.

Sent down for Concurrence. Read.

The Houses not agreeing in their separate Projections, relating to the suppressing of the Insolencies of the *Kennebeck* Indians, and Protecting the Eastern Frontiers.

Ordered, That *John Barker*, Esq; *Mr. Samuel Balch*, *Mr. John Foster*, *Mr. Nathaniel Coffin* and *George Bunker*, Esq; with such as the Hon. Board shall join, be a Committee to consider and lay before the Court, what they think proper to be done in the said Affair, and to make Report as expeditiously as may be.

Sent up for Concurrence.

A Petition of *Adam Cogswell* of *Ipswich*, was presented to the House & Read, Complaining, That he has been for the space of 14 Months unjustly and illegally

Confined in the Prison there, from which he can obtain no Release, praying this Court to have consideration of his miserable Condition, and grant him Relief, for reasons in the said Petition rendred.

And the Question being put, *Whether the prayer of the said Petition be Granted?*

It pass'd in the Negative.

A Petition of *Jonathan Tyng*, was presented to the House & Read, praying the Grant of a Tract of Land, containing six Miles Square, Scituate Westward of the Town of *Groton*, whereof he formerly bought the Indian Title, having a sufficient number of Persons ready to make a good Settlement thereon. A List of whose Names was presented and Read.

And the Question being put, *Whether the prayer of the Petition be Granted?*

It pass'd in the Negative.

This House being credibly Informed, That several Persons have lately Trespassed, by cutting of Timber, bleeding of Pines, for Turpentine, and making of Tar on the Lands of this Province, lying near *Merrimake* River.

Ordered, That Capt. *John Shipley* and Mr. *Benjamin Whittemore* be desired to get Information and Evidence of such Persons as have so Trespassed, and give it to the Attorney-General, who is hereby directed to Prosecute such Offenders in the Law; and that it be an Instruction to the Attorney-General to Prosecute such Persons as Offenders, who do not derive a Title to such Lands, from a Grant of this Court, or a Grant of the General Court, of the late Colony of the *Massachusetts-Bay*. Sent up for Concurrence.

And then the House Adjourn'd till Monday next, Three a Clock Afternoon.

VOTES

Of the House of Representatives.

Lunæ 23. Die Novembris 1719. P. M.

A Bill Intituled, *An Act for the Regulation of the Decrees, and other Proceedings, of the several Judges of Probate, in the respective Counties of this Province, and of Appeals therefor.* Read a 2 d time, and

Ordered, That Maj. Stoddard, Col. Dudley, and Capt. Fullam, be a Committee, to whom the said Bill is Committed, to report such Amendments thereon, as they think needful.

The Petition of *John Wells, Thomas Hastings* and *Nathaniel Coleman*, Selectmen of *Hatfield*, upon which there was a Hearing, the 20th Currant. Sent down from the Board, pass'd on there, viz. In Council, Nov. 21. 1719. A Hearing having been had Yesterday, before the whole Court on this Petition.

Ordered, That Maj. *John Chandler* with such others as the Honourable House shall joyn with him, be a Committee, to Survey the Land, and Line in controversy, between *Northampton*, and *Hatfield*, to view the Records and Evidences relating thereto, and upon the whole to Report where, the Station, in order to run a West Line, of Nine Miles, from *Connecticut* River on the North Bounds of *Northampton*, ought to be or Commence, or what else may be thought convenient to be done, relating to the present Controversy between *Northampton* and *Hatfield*. Sent down for Concurrence. Read,

And Voted a Concurrence: And, That *William Dudley*, and *Thomas How* Esqrs; be joyned in the affair, the charge of the Committee to be born, as this Court shall direct, after they have received the said report.

A Bill Intituled, *An Act requiring the several Towns within this Province, to be provided with Stocks.* Sent down from the Board Concurr'd with some Amendments, which were Read and Agreed.

The Petition of *Josiah Edson*, and 60 others of the South Precinct in *Bridgewater*, pass'd upon in this House the 6th Currant. But the Vote then pass'd not Concurr'd by the Board. And a Vote from the North Part of the said Town being now Brought into the House, signifying their Consent to the prayer of the said Petition.

Resolved, That the prayer of the said Petition be Granted, and that the said South Precinct in *Bridgewater* be set off from the said Town and be Erected into, and Constituted a Town, to all Intents, and Purposes, and be Invested with all the Powers and Privileges & Immunities that other Towns are or ought to be; To be called *Bridgtown*. Sent up for Concurrence.

A Petition of *John Wheelwright, Abraham Prebble, Lewis Bane, John Leighton,*

and *Joseph Hill*, a Committee to Regulate the Eastern Settlements, &c. was presented to the House and Read, praying, That they may be paid the Sum of *l. 21. 2 s. 6 d.* for their time and charge in running the Bounds of *Falmouth* in *Casco-Bay*.

A Petition of *Samuel Moore*, *Samuel Thayer*, *Robert Evans*, and *Thomas White* Select-men of the Town of *Mendon*, was presented to the House and Read, praying, That the said Town may be Exempted for some time from the Penalty of the Law, for not being provided with a Grammar School-master, for reasons in the said Petition alledged.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 24. Die Novembris, 1719. A. M.

A Petition of *Moses Woorster* of *Kittery* was presented to the House and Read Shewing, That he gave his Estate lying in *Berwick* to his Son *Thomas Woorster*, on consideration that he should provide for his Subsistence during his Natural Life, but his said Son is since deceased, and he now is in want of a Maintenance and can't Dispose of any of his Estate therefor: Praying that he may be enabled to dispose and make Sale of so much of the said Estate as shall be necessary for his Support. Read and sent up. [48]

A Report of *Samuel Thaxter* and *William Dudley*, a Committee appointed by this Court the 15th of *June* last, to run the Line between the Town of *Sutton*, and *Hassanamisco* an Indian Plantation, presented to the House and Read, together with a Plat of the said Indian Plantation.

Resolved, That the said Report be accepted: and, That the Line between the said Town and *Hassanamisco*, and the Bounds of *Hassanamisco* be Stated, Confirmed & Setled according to the said Report and Plat. Sent up for Concurrence.

An Accompt of the time, and charge of the said Committee in performing the said Service, amounting to the Sum of *l. 11. 6 s.* was presented for Allowance and Payment. Read, and

Resolved, That the Sum of Eleven Pounds and Six Shillings, be allowed, and paid out of the Publick Treasury, to the Honourable *Samuel Thaxter* Esq; to Discharge the said Accompt. Sent up for Concurrence.

Upon a Motion being made:

Ordered, That *Oliver Noyes*, *Francis Fullam*, *John Cawley*, *John Stoddard*, *Abraham Prebble*, Esqrs; Capt. *Joseph Lothrop*, and Mr. *Ebenezer Pitts*, with such as the Honourable Board shall joyn, be a Committee, to Consider of Methods more effectually to Promote Schools of Learning, and to prepare and lay before the Court a Draught of a Bill for that end. Sent up for Concurrence.

A Memorial of *Jonathan Belcher* was presented to the House and Read, Moving that he may be Reimburs'd a Sum of Money which he Disburs'd, for the Service of this Province in Great Britain, *Anno 1716.* Read.

An Accompt of *John Marion*, amounting to the Sum of *l. 12 15 s. 11 d.* for Bread, fresh Meat, Roots, &c. Sent down to the Pest House on Spectacle Island, pursuant to an Order of this Court, for the Relief and Refreshment of the Passengers lately Landed, there, was presented to the House for Allowance and Payment.

Resolved, That the Sum of Twelve Pounds Fifteen Shillings and Eleven Pence, be Allowed and Paid out of the Publick Treasury to Mr. *John Marion*, the Accomptant to Discharge the said Accompt. Sent up for Concurrence.

The Petition of *John Wheelwright, Abraham Prebble, Lewis Bane, John Leighton* and *Joseph Hill*, praying as entred Yesterday. Read again and Committed.

The Petition of *Jonathan Sanderson* and 47 others of the Westerly part of *Wartertown* was presented to the House and Read, praying, That a Line to divide the said Town, in an equal manner into two Precincts may be run and settled, or that the Meeting House in the Western Part, of the said Town may be removed further Westward for the better accommodation of the Inhabitants.

The following Vote sent down from the Board, *viz.* In Conncil, *Nov. 24. 1719.* Whereas during the Sitting of the General Assembly, the Time of the Court is Taken up with, and the charge of the Province Increased by Hearings, had upon private Petitions and Controversies.

It is Resolved, That for the future before any Hearing, be had upon any Private Petition or Controversy, a Sum of Money not exceeding Ten Pounds, and not under Five Pounds, as shall be ordered by the Court be paid by the Petitioner or Petitioners, to the Secretary for the use of the Government, to be Disposed of as the General Assembly shall Direct. Sent down for Concurrence. Read and Concurr'd with an Amendment, *viz.* In stead of the last clause, the following, *viz.* one half to the Secretary, and the other half to the Clerk of this House, to be Disposed of as each House shall Direct. Provided, That no Hearing be hereby Debarred that shall be judged proper to be Granted *in forma Pauperis*.

Post Meridiem.

A Petition of *Samuel Comestock* of *Providence*, in behalf of himself and *Richard Arnold, Jonathan Sprague, William Hopkins* and *Joseph Whipple*, was presented to the House & Read, praying, That their Right to, and Property in, about 900 Acres of Land, which was Granted and laid out to them by the Town of *Providence*, may be confirmed to them, notwithstanding by the late Settlement of the Line between this Government and the Colony of *Rhode Island*, the said Land falls within this Province. Committed.

The Hon. *Samuel Thaxter*, Esq; made Report to the House, That whereas Capt. *Jacob Tompson* and he were appointed by this Court at their last Session to Survey the Land lying on the South side of the South Line of the late Colony of

the *Massachusetts-Bay* near *Bridgwater*, not included in any Town or Grant, and to run the Line from Angle Tree, to *Patucket* River between the Towns of *Wrentham* and *Attleborough*, that he had sent to [49] the said *Tompson* to attend and perform that Service, but that he had declined the same, and so nothing is done.

The Vote of this House on the Petition of *Daniel Waldo*, pass'd the 6th of *June* last. Read and

Ordered, That the said Vote be Revived Saving that *William Dudley*, Esq; is appointed of the Committee, in the room of Capt. *Jacob Tompson*.

Sent up for Concurrence. Upon a Motion being made,

Ordered, That the Hon. *Samuel Thaxter* and *William Dudley*, Esqrs; be a Committee carefully to inquire into, Run and Settle the Divisional Line, between the Townships of *Wrentham* and *Attleborough*, &c. from Angle Tree to *Petucket* River, giving notice to the Towns concerned, when they attend the said Service, and make Report of their doings to this Court, with their opinion by what Towns, and in what Proportion the Charge of their Service ought to be born.

Sent up for Concurrence.

An Engrost Bill Intituled, *An Act requiring the several Towns within this Province to be provided with Stocks*. Read and

Resolved, That the Bill do pass to be Enacted.

A Bill Intituled, *An Act to prevent all Questions and Disputes, about the Election of Town Officers, for the Town of Barrington in the County of Bristol, and for the further quiet Settlement of the said Town*; being pass'd at the Board to be Engrost.

Sent down for Concurrence. Read twice and Concurr'd.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 25. Die Novembris 1719. A. M.

MR. *Lindal* from the Committee appointed to Examine the Accompts of the Commissioners for the Letting out of the l. 100000 Loan, made Report on the Accompts of *Abraham Prebble*, *John Leighton*, *Samuel Came* and *Samuel Plaisted*, Commissioners for the County of *York*, which was accepted by the House with some Amendment. And accordingly,

Resolved, That the above mentioned Accompts be accepted and approved, and the Commissioners the Accomptants be accordingly Discharged of the Sum of Fifty seven pounds three shillings and six pence, Interest received, when they have paid the Treasurer Fifty Pounds nineteen shillings and nine pence, the Charges allowed them being Six pounds one shilling and nine pence, there still remaining in their hands, Three pounds ten shillings of the Principal.

Sent up for Concurrence.

The Petition of *Moses Woorster*, praying as entred Yesterday, Sent down from

the Board, pass'd on there, viz. In Council Nov. 24th 1719. Read, and in answer to this Petition, Ordered, That unless the Widow of *Thomas Woorster* do in Three Months from the end of this Session of the General Assembly, take effectual care, to the Satisfaction of *Joseph Hammond* and *Charles Frost*, Esqrs; for the Support of her aged Father in law, during his natural Life, then and in case of her neglect or refusal so to do, That the said *Joseph Hammond* and *Charles Frost* be Impowered to Mortgage, or sell out right so much or such part of the Lands mentioned in the Petition, and conveyed by Deed to his Son *Thomas* Deceased, as the said Trustees shall Judge necessary for the Support of the said *Moses Woorster*, during his natural Life, and the Moneys so raised, be applied to that use, and in case there be any part of the Money so raised left in the hands of the said Trustees, at the time of the Death of the said *Moses Woorster*, the same to be applied to the use of the Children of the said *Thomas Woorster*. The Trustees to take care in their Sale of the Land, that it be with the least Prejudice to the whole.

Sent down for Concurrence. Read & Concurr'd.

The Vote of this House, sent up Yesterday for a Committee to run the Line from Angle Tree, to *Patucket* River, Sent down from the Board Concurr'd, and Ordered, That Col. *William Basset* be added to the Committee. Sent down for Concurrence. Read and Concurr'd. And further Ordered, That no Grant be taken up on any ungranted Lands, that may be found by the said Committee, any two to act the other being notified. Sent up for Concurrence.

An Engrost Bill Intituled, *An Act to prevent all Questions and Disputes about the Election of Town Officers for the Town of Barrington in the County of Bristol, and for the further quiet Settlement of the said Town.* Read and

Resolved, That the Bill do pass to be Enacted. [50]

A Bill Intituled, *An Act in Addition to An Act Intituled, An Act requiring the taking the Oaths appointed to be taken instead of the Oaths of Allegiance and Supremacy;* being pass'd to be Engrost at the Board.

Sent down for Concurrence. Read.

A Petition of *George Jackson* of *Marblehead*, was presented to the House & Read, praying allowance for sundry Services as a Surgeon, &c. in the time of Sir *Edmund Andros* Government, for which he is not yet paid. †

And the Question being put, *Whether any thing be Granted in answer to the said Petition?* It pass'd in the Negative.

The Report of the Committee of both Houses for Suppressing the Insolencies of the *Kennebeck* Indians, and protecting the Eastern Frontiers. Sign'd, *Nathaniel Byfield*, in the name of the Committee. Sent down from the Board, pass'd upon there, viz. In Council Nov. 25th 1719. Read and accepted.

Sent down for Concurrence. Read.

A Petition of *Jabez Eaton* of *Plymouth*, was presented to the House & Read, praying, That he may be enabled by an Act of this Court, to bring forward a

review of a Cause between him and *Thomas Shurtliff*, for reasons in the said Petition alledged.

And the Question being put, *Whether the prayer of the Petition be Granted?*

It pass'd in the Negative.

Post Meridiem.

A Memorial of *Gyles Dyer*, Esq; Commander of the Governours Troop of Guards, praying, That the said Troop of Guards, may be exempted from paying towards the Charge of the Town Watch, and from serving as Constables and Jurymen. Sent down from the Board, pass'd on there, *viz.* In Council Nov. 25th 1719. Read & Ordered, That the prayer of the Petition be Granted. Sent down for Concurrence. Read & Concurr'd. So far that they may be Excused from serving as Constables and Jurymen.

The Report of the Committee of both Houses for suppressing the Insolencies of the *Kennebeck* Indians, and Protecting the Eastern Frontiers. Read and Debated Paragraph by Paragraph, and Concurr'd with some Amendments.

Sent up.

¶ A Bill Intituled, *An Act for Repealing a Clause in the Act Intituled, An Act for the Making and Emitting the Sum of One Hundred Thousand Pounds in Bills of Credit on this Province.* Pass'd at the Board to be Engrost.

Sent down for Concurrence. Read.

And then the House Adjourn'd till to Morrow Morning Nine a clock.

VOTES

Of the House of Representatives.

Tobis, 26. Die Novembris, 1719. A. M.

THE Petition of *Mary Adams*, praying as entred the 19th Currant. Sent down from the Board, pass'd on there, viz. In Council *Novemb.* 25th 1719. Read & Ordered, That the Petitioner be and hereby is enabled to Re-convey the Tract of Land, mentioned in the Petition to *Joseph Barret*, Jun. he paying or discharging the Mortgage made of said Lands to the Province.

Sent down for Concurrence. Read & Concurr'd.

A Petition of *John Darling*, *Nicholas Cook* and 30 others, Inhabitants of a remote part of *Dedham*, some Farms, and 4 Inhabitants of *Mendon*, was presented to the House and Read, praying, that they may be constituted a Township.

Ordered, That the prayer of the Petition be Granted, and that a Township be Erected and Constituted accordingly thereunto, and the Plat therewith exhibited, with all Powers and Privileges belonging to a Town. Provided, They procure and settle a Learned Orthodox Minister, within the space of three Years next coming, and that *John Darling*, *John Tompson* and *John Marsh* be Impowered, to call a Town Meeting any time in *March* next, to choose Town Officers and manage the other prudential Affairs of the Town; the name of the Town to be called *Westham*. Sent up for Concurrence.

A Petition of *Thomas Prentice*, and *Thomas Learned*, was presented to the House & Read, shewing, That they have been improved as a Committee, to Build a Cartbridge over *Charles River* in *Watertown* just above the Salt Water, wherein they have laid out *l.* 140 more than they can demand of the Towns, with whom they Bargained to do it, praying this Court to Grant some allowance towards the Charge of the said Bridge, being of great use and Service to many Towns in the Province.

And the Question being put, *Whether the said Petition be Committed?*

It pass'd in the Negative.

And the Question being put, *Whether the prayer of the Petition be Granted?*

It pass'd in the Negative.

A Petition of *Joseph Chapin*, and 25 others of the Garrison at *Castle William*, was presented to the House & Read, praying, that their Wages may be augmented in consideration of the Dearness of Cloathing. Sent down from the Board, pass'd on there, viz. In Council, *Nov.* 25th. 1719. Read and well Recommended.

And the Question being put *Whether the said Petition be Committed?*

It pass'd in the Negative?

And the Question being put, *Whether the prayer of the Petition be granted?*

It pass'd in the Negative.

Post Meridiem.

Ordered, That Mr. *Cooke*, Capt. *Fullam* and Capt. *Gardner* be a Committee, to prepare and lay before the House a Draught of a Vote, for the Grant of Two Townships, to the Westward of the Town of *Grotton*, Describing the Courses the Lines are to Run, and the Rules of their Settlement; and to Report what they think proper to be done on the Proposal made for Granting a Township to the Eastward of *Northfield*.

A Petition of *Thomas Wells* was Presented to the House and Read, praying as that Entred the 9th of *June* 1719.

Ordered, That Mr. *Tay*, Capt. *Throop* and Capt. *Cawley* be a Committee to whom the said Petition is Committed, that they consider the subject matter thereof, and report the same with their opinion thereon to the House.

A Bill Intituled, *An Act to Enable Enoch Greenleaf of Boston, Sadler, to file reasons of Appeal, from a Judgment of an Inferiour Court of Common Pleas passed against him on the first Tuesday of October last at Boston, for the County of Suffolk, wherein the said Greenleaf was Plaintiff and Seth Sweetser of Charlestown in the County of Middlesex Defendant*; being pass'd at the Board to be Engrost.

Sent down for Concurrence. Read twice and Concurr'd.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [52]

Veneris 27. Die Novembris, 1719. A. M.

A Bill Intituled, *An Act in Addition to an Act Intituled, An Act Requiring the taking the Oaths, appointed to be taken instead of the Oaths of Allegence and supremacy*. Read, a 2d and 3d time, and pass'd a Concurrence.

The Memorial of *Jonathan Belcher* Esq; Moving as entered the 24th currant.

Read again and,

Voted, That for the further information of the House, it be signified to the Memorialist, That if he has any Accompt of the Expense his Memorial Relates to, That it be laid before the House, how, to whom, and for what it was made, this afternoon.

A Bill Intituled, *An Act for Repealing a Clause in the Act Intituled, An Act for the Making and Emitting the Sum of One Hundred Thousand Pounds in Bills of Credit on this Province*. Read a 2d time.

A Petition of *Samuel Bill* of *Boston* owner of Spectacle-Island, on which the Province-Hospital is built, was presented to the House and Read, praying, That he may be paid for the Damage that was done upon the said Island by Seventy Passengers Landed there, who cut down several valuable Trees there, and spoiled the Grass, being done while the Hospital was building, for which he has been allowed Three Pounds only, which is not near the value of his Damage.

Committed.

A Bill Intituled, *An Act for Enlarging the Fees of Grand-jurors, and for fixing an Allowance to the Superiour Court of Judicature for Hearing Petitions, and Granting Power for the Sale of Land.* Passed to be Engross'd at the Board, and sent down for Concurrence. Read.

Post Meridiem.

A Bill Intituled, *An Act for the Regulation of the Decrees, and other Proceedings of the severall Judges of Probate, in the respective Counties of this Province, and Appeals therefrom.* Return'd by the Committee to whom it was Referr'd with Amendments: The said Bill with the Amendments Read.

And pass'd a Concurrence with the said Amendments. Sent up.

A Petition of *Giles Dyer* of *Boston*, Merchant, Shewing, That at an Inferiour Court held at *Boston* on the first Tuesday of *October* last, he recovered Judgment against *John Barnard*, late of *Boston*, Merchant, for the Sum of *l. 284. 12 s. 9 d.* That at the same Court said *Barnard* recovered Judgment against the Petitioner for the Sum of *l. 290* That the said *Barnard* is absconded, and the Petitioners can have no benefit of the Judgments recovered against him, but the said *Barnard* by his Attorney, will have the benefit of the Judgments against the Petitioner: Praying this Court to afford him relief by an Act, Ordering the Money, levied by vertue of the said *Bernards* Executions to be lodged in the Superiour Court, and be subjected to the Executions of the Petitioner, or otherwise as this Court shall think fit. Sent down from the Board, pass'd on there, viz. In Council, *Nov. 26. 1719.* Read and Ordered, That a Hearing be had on this Petition on Wednesday next, and that the Petitioner serve Mr. *Bernard* with a Copy of this Petition, if the said *Barnard* may be found, or Mr. *Tarrant*, his Agent Factor or Attorney; and that Five Pounds be paid into the Secretary, and Clerk's hand, and that in the meantime Executions on both sides be staid.

Sent down for Concurrence. Read and Concurr'd.

An Accompt of *Ebenezer Allen* Surgeon, his Medicines and Applications, to Fifteen Souldiers that were sick when in the Service under Capt. *Bane* the last Summer, amounting to the Sum of *l. 14 2 s. 6 d.* presented to the House for Allowance.

Resolved, That the Sum of Fourteen Pounds two Shillings and six Pence, be allowed and paid out of the Publick Treasury, to *Ebenezer Allen* the Accomptant, to Discharge the said Accompt. Sent up for Concurrence.

The Petition of *Jonathan Sanderson*, and 47 others of the Westerly part of *Watertown*, praying as enter'd the 24th Currant. Read again, and

Ordered, That the Petition be Dismist: The Petitioners not shewing forth that they have applied themselves to the Precinct, for what they desire.

The Honourable *Jonathan Belcher* Esq; sent into the House a further Accompt how, to whom, and for what the Expense mentioned in his Petition was made.

Journal of the House of Representatives 203

Which was Read.

And the Question being put, *Whether the prayer of his Memorial be Granted?*

It pass'd in the Negative. [53]

The Vote of this House on the Petition of *John Darling &c.* Pass'd the 26. Currant, Sent down from the Board pass'd on there, viz. In Council Nov. 27th 1719. Read, and Concurr'd with this Vote excepting the Name to be *Bellingham.*

Read and Concurr'd.

A Bill Intituled, *An Act for Regulating the Qualifications of the Members of the General Assembly.* Read a first time.

A Report of the Committee of both Houses appointed to State a Precinct Line in *Salem.* Sent down from the Board pass'd on their, viz. In Council Nov 26. 1719. Read, and Ordered, That the first part of this Report which relates to the settling the Divisional Line between the two Parishes, with the several Reservations be accepted. Sent down for Concurrence. Read and concurr'd.

And further Voted, That the Eastern Parish, set off as aforesaid, be invested with all Powers, and Authories of a Precinct to do all that is usual, proper, and necessary for the support of the Publick Worship of GOD.

Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 28. Die Novembris 1719. A. M.

MR. *Tay*, from the Committee appointed made report on the Petition of *Thomas Wells* Praying as entered the 26th currant which was not accepted by the House. But, Voted, That it is the Opinion of this House that the Petitioners Father had a Right in *Northfield*, That it does not appear to this House that he or his Heirs have forfeited the same, That therefore it be Recommended to the Committee for settling the Town of *Northfield*, duly to weigh and consider the Petitioners claim, and make Report to this House, how they find the same at the Session of this Court in *May* next.

A Bill Intituled, *An Act for Repealing a Clause in the Act, Intituled, an Act for the making and Emitting the Sum of l. 100000 in Bills of Credit on this Province.*

Read a 3d time. and Non-Concurr'd.

A Bill Intituled, *An Act for Enlarging the Fees of Grandjurors, and for fixing an allowance to the Superiour Court of Judicature, for hearing Petitions and granting Power for the Sale of Land.* Read a 2d and 3d time, and pass'd a Concurrence.

A Petition of *Samuel Ashley* of *Westfield*, was presented to the House & Read, praying consideration and allowance of the Charge of the Sickness of his Son *Daniel* contracted (as is supposed) by his being in the Service in the late Expedition against *Canada.*

And the Question being put, *Whether the prayer of the Petition be Granted?*

It pass'd in the Negative.

Mr. *Cooke* from the Committee appointed made Report on several Petitions, viz. On the Petition of *Samuel Bill*, praying as entred Yesterday. Which was accepted by the House, and accordingly,

Resolved, That the Sum of Twelve Pounds be allowed and paid out of the Publick Treasury to *Samuel Bill* the Petitioner in full Satisfaction for all the Loss and Damage mentioned in his Petition. Sent up for Concurrence.

On the Petition of *John Barrel*, praying as entred the 13th Currant, which was accepted by the House, and accordingly,

Ordered, That the Petitioner be impowred to make Sale, of the Estate Mortgaged, in order to Discharge the said Mortgage, and that he give Security to the Judge of Probate, for the County of *Suffolk*, for the Overplus, That the Principal at his Death may come to, and be divided among the Heirs of *Abiah* his late Wife, and that the Petitioner have leave to bring in a Bill accordingly.

On the Petition of *John Gaud*, praying as entred the 17th Currant. Which was accepted by the House, and accordingly,

Resolved, That the Sum of Fifty five Pounds be allowed and paid out of the Publick Treasury in full Discharge of the Salary due to *George Worthilake* Deceased, as well as the Work done by the Deceased on *Beacon-Island*.

Sent up for Concurrence.

On the Petition of *John Wheelwright, Abraham Prebble, &c.* praying as entred the 23 d Currant, Which was accepted by the House, and accordingly,

Ordered, That the Sum of Nineteen Pounds ten shillings and six pence, be allowed and paid to them for running out the Bounds of the Town of *Falmouth* in *Casco Bay*, by the Inhabitants of said Town, at whose Request and Application the Service was performed, and that the Select-Men of the said Town take care that Provisions be had to Discharge the same in the next Town Rate.

Sent up for Concurrence. [54]

A Draught of a Letter to Mr. Agent *Dummer*, prepared by a Committee of both Houses. Sent down from the Board, pass'd on there, viz. In Council Nov. 27th 1719. Read and accepted. Sent down for Concurrence.

Read & Concurr'd:

A Petition of *Joseph Buckminster*, was presented to the House & Read, shewing, That in *March* last he Imprested 15 Men for His Majesty's Service, who were Billeted 15 Days at *Jonathan Maynerd's* at *Framingham*, and one Night at

Robinson's at *Cambridge*, for which the said Innholders are not paid, and the said Souldiers have received their Wages and Money for Subsistence, praying this Court to direct how the said Innholders shall be Paid.

And then the House Adjourn'd till Monday next, Three a Clock Afternoon.

VOTES

Of the House of Representatives.

Junæ 30. Die Novembris, 1719. P. M.

A Petition of *Walter Powers, David Russel*, and 10 others, Inhabitants, of remote Parts of the Towns of *Concord*, and *Chelmsford* was presented to the House and Read, praying, That they may be set off, from the Towns they respectively belong to, and be annexed to the Town of *Littleton*.

And the Question being put, *Whether the prayer of the Petition be Granted?*

It pass'd in the Negative.

A Bill Intituled, *An Act for Regulating the Qualifications, of the Members of the General Assembly.* Read a 2 d time. And the Question being put, *Whether the Bill be Read a 3 d time?* It pass'd in the Negative.

The Petition of *Samuel Comestock*, praying as entred the 24th Currant. Read again, and the Report of the Committee thereon, which was accepted by the House and accordingly,

Voted, That it is reasonable that the Nine Hundred Acres of Land mentioned in the said Petition, or so much thereof as was in the Year 1707. laid out within this Province to satisfy (in part) a Grant of One Thousand Acres made to the Petitioners by the Town of *Providence*, be Confirmed to the Petitioners, Provided the Nine Hundred Acres were laid out in unappropriated Lands, but if it appear to be within the Township of *Mendon*, that then the Petitioners have liberty to Lay out that quantity of Land in some free Place, unless the Town of *Mendon* will Confirm to the Petitioners the said Lands, that then *Mendon* have an Equivalent therefor. And that the Town of *Mendon* be desired to Confirm at least the Fifty Acres Sold by Mr. *Samuel Comestock*, and under actual Improvement: provided it be within their Town Bounds.

The abovesaid Grant or Confirmation to be on Condition that the Town of *Providence* shall Confirm to Mr. *Billings*, Seven Hundred Acres of Land bought by him of the Indian Proprietor by allowance of this Government, and laid out within said Town. And that before this Court act further on said Petition the Lines of the Town of *Mendon*, be run by a skilfull Surveyer, and a Return made to this Court for their further Information. Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martis 1. Die Novembris 1719. A. M.

A Petition of *Samuel Lamb of Springfield* was presented to the House and Read, Requesting, That he may have all the Pine Trees South East of the Equivalent Lands between the Towns of *Springfield*, and *Brookfield*, for the Sum of Twelve Pounds.

Resolved, That the Petitioner be allowed to Take and Improve, all the Pine Trees within the Limits Described in his Petition for the space of four Years from this time, he first paying the Sum of Twenty Pounds into the hands of *John Stoddard Esq*; for the use of this Province, before he makes use of any of the said Trees. Sent up for Concurrence.

Mr. *Lindal* from the Committee appointed made report on the Accompts of the Commissioners of several Counties for the Letting out of *l. 100000* of Bills of Publick Credit on this Province: Which were accepted by the House with some alteration, and the following Votes pass'd accordingly. *viz.*

On the Accompts of the Commissioners for the County of *Suffolk*, from *Feb. 13th. 1716, 17. to Feb. 13th. 1717, 18. and*

Resolved, That the said Accompts be accepted and approved, and the Commissioners the Accomptants be accordingly discharged of the Sum of *l. 1142 14 s. 11 d.* Interest received, when they have paid the Treasurer the Sum of *l. 964 17 s. 4 d.* the charges allowed them being *l. 177 17 s. 7 d.* there remaining the Sum of *l. 84 10 s. 7 d.* out-standing Interest to be accounted for.

Sent up for Concurrence. [56]

On the Accompts of the Commissioners for the County of *Middlesex*, from *Feb. 13. 1716, 17. to Feb. 13. 1717, 18. and*

Resolved, That the said Accompts be accepted and approved, and the Commissioners the Accomptants be accordingly discharged of the Sum of *l. 396 14 s. 2 d.* Interest received, when they have paid the Treasurer the Sum of *l. 285 17 s. 10 d.* the charges allowed them being *l. 110 16 s. 4 d.* Sent up for Concurrence.

On the Accompts of the Commissioners for the County of *Essex*, from *Feb. 13. 1716, 17. to Feb. 13. 1717, 18. and accordingly,*

Resolved, That the said Accompts be accepted and approved, and the Commissioners the Accomptants be accordingly discharged of the Sum of *l. 364 1 s. 11 d.* Interest received, when they have paid the Treasurer the Sum of *l. 268 8 s. 7 d.* the charges allowed being *l. 95 13 s. 4 d.* The Sum of *l. 4 14 s. 11 d.* out-standing Interest, the Sum of *l. 7528 10 s.* Bills not yet Let out, and *l. 587 10 s.* Principal received in, being to be accounted for. Sent up for Concurrence.

On the Accompts of the Commissioners for the County of *Suffolk*, from *Feb. 13. 1717, 18. to Feb. 13. 1718, 19. and accordingly,*

Resolved, That the said Accompts be accepted and approved, and the Commissioners the Accomptants be discharged accordingly of the Sum of *l. 1411 19 s. 8 d.* Interest received, when they have paid to the Treasurer, the Sum of *l. 1385 3 s. 9 d.* The charges allowed them being *l. 26 15 s.* there being the Sum of *l. 78 10 s.* Interest out-standing to be accounted for. Sent up for Concurrence.

The Accompts of the Commissioners for the said Loan for the County of *Essex*, from *Feb. 13. 1717, 18. to Feb. 13. 1718, 19.* were presented to the House, Inspected and Committed.

The following Vote sent down from the Board the 28. of last Month, viz. In Council, Nov. 28th. 1719. There being Matters of great Importance to this Government lying before the General Assembly, at their present Sessions, that may be thought proper humbly to address His Majesty upon. Voted, That *Thomas Fitch, Edmund Quincey and Paul Dudley Esqrs*; be a Committee to joyn with such as the Honourable House shall appoint, to Draw up a humble Address to His Majesty upon such Matters and Articles, as they shall think proper, and report the same to the Court: and that the Honourable House be Desired not to Publish their additional Answer to His Excellency's Speech.

Sent down for Concurrence. Read, and

Ordered, That a Message be sent up to the Honourable Board, Requesting that Minutes of the Heads they propose the said Address shall be made upon, may be sent down to the House.

The Petition of *Joseph Buckminster*, praying as entred the 28th. Nov. last.

Read again and Committed.

A Bill Intituled, *An Act for the Enabling William Dummer, William Tailer, Samuel Sewall and Penn Townsend Esqrs; and other the Trustees, of the Publick Lands in Hopkinton, in the County of Middlesex in the Province of the Massachusetts-Bay in New-England to make long Leases of the said Lands*; Pass'd at the Board to be Engrost. Sent down for Concurrence.

Post Meridiem.

A Memorial of *John Valentine*, Attourney General for the Province, presented to the House and Read, Moving for an Allowance for his Service in that Office the Year past.

Resolved, That the Sum of Five Pounds be allowed and paid out of the Publick Treasury to *John Valentine Esq*; the Memorialist for his Service the Year past.

Sent up for Concurrence.

An Engrost Bill Intituled, *An Act for Enlarging the Fees of Grand-jurors, and for fixing an Allowance to the Superiour Court of Judicature for Hearing Petitions, and Granting Power for the Sale of Land*. Read and

Resolved, That the Bill do pass to be Enacted.

A Vote sent down from the Board expressing several Heads humbly to Address His Majesty upon. Read.

The Vote of the Board entred this Day for a Committee of both Houses to draw up a Humble Address to His Majesty. Read & Concurr'd, so far as relates to the Addressing His Majesty. And that *Elisha Cooke and John Stoddard, Esqrs*; Mr. *Timothy Lindal* and Mr. *William Clark*, are appointed to join in the Affair.

A Message to the Board by Col. *Dudley* to inquire whether the Board have Nominated Commissioners to go Eastward, pursuant to the Vote passed the

25th Currant, for sup- [57] pressing the Insolencies of the *Kennebeck* Indians, and Protecting the Eastern Frontiers, and if not, to desire that they may be chosen by the written Votes of both Houses as other Officers are.

A List of 15 Men Imprest into His Majesty's Service, Billeted at *Mary Fowls* at *Woburn* from the 16th of *March* last, to the 1st of *April*, certified by Col. *Jonathan Tyng*, presented to the House for payment. Read and Committed.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 2. Die Decembris, 1719. A. M.

Capt. *Fullam* from the Committee appointed offered a Report, for Granting Land for Two Townships, which was accepted by the House with some Addition. And accordingly,

Voted, That two Towns each containing the Quantity of six Miles square at the least, be laid out in as regular Forms as the Land will allow to be settled as defensible as may be, on the Westerly side of *Grotton* West Line, and adjoining thereto, also in part of *Dunstable* Norwest Line. And that *Francis Fullam*, Esq; Capt. *John Shipley*, and Mr. *Benjamin Whittemore*, be a Committee fully Impowered by this Court to allott and Grant out, the Lands contained in each of the said Towns, to such Persons and only such as will effectually Settle the same within the space of Three Years next ensuing, the laying out and Granting of such Lotts by said Committee who are instructed and directed to admit Eighty Families or Persons in each Town at least, who shall pay to said Committee, for the use of the Province, the Sum of Five Pounds, for each Allotment which shall be Granted and allotted as aforesaid. And that each Person to whom such Lot or Lots shall be Granted and laid out, shall be obliged to Build a good Dwelling House thereon and inhabit it, and also to break up, and sufficiently Fence in three Acres of Land, at the least, within said Term of Three Years. That there be laid out and reserved for the first Settled Minister, a convenient Lot, also a Lot for the School, and a Ministerial Lot, and the Settlers be obliged to build a convenient House for the Publick Worship of GOD, in each of the said Towns, within the Term of four Years, and to pay the Charge of necessary Surveys, and the Committee, for their Service in and about the Premises. And that the Committee give Publick Notice of the time and place, when they will meet to Grant Allotments. Sent up for Concurrence.

A Message from the Board by Mr. Secretary *Willard*, That the House now come up to attend the Hearing appointed to be this Day on the Petition of *Gyles Dyer*, Esq.

Mr. Speaker and the House went up accordingly; But neither Mr. *Barnard* nor any Person Impowered by him appearing. Mr. Speaker and the House return'd again to their own Chamber.

Upon a Motion being made,

Ordered, That the Vote pass'd the last Monday, That the Bill Intituled, *An Act for Regulating the Qualifications of the Members of the General Assembly*, should not have a 3d Reading, be Re-considered.

A Bill Intituled, *An Act for further continuing An Act in addition to an Act of Limitation for Quieting Possessions*. Read a first time.

An Engrost Bill, Intituled, *An Act in addition to an Act Intituled, An Act requiring the taking the Oaths appointed to be taken instead of the Oaths of Allegiance and Supremacy*. Read and

Resolved, That the Bill do pass to be Enacted.

A Message from the Board, That the Council agree to the motion of the House, That the Commissioners mentioned in the Vote of this Court for suppressing the Insolencies of the *Kennebeck* Indians, &c. be chosen by written Votes of both Houses, and desire the matter may be now proceeded in.

The House accordingly prepared their Votes. Which were sent up by Capt. *Chambers* and Capt. *Gardner* to Sort and Number the same, together with the Votes of the Board, and Report the Choice. Who Reported, That the Hon. *William Tailer*, *Edmund Quincey* and *William Dudley*, Esqrs; were chosen by a major part of the Voters:

The Petition of *Gyles Dyer*, Esq; Sent down from the Board, pass'd on there, viz. In Council, *Decemb. 2d 1719*. Ordered, That the further Consideration hereof be referred to the next Session of this Court, and that in the mean time Executions on both sides be stayed. Sent down for Concurrence.

Read & Concurr'd. [58]

Post Meridiem.

A Bill Intituled, *An Act for enabling William Dummer, William Tailer, Samuel Sewall, Penn Townsend, Esqrs; and others, the Trustees of the Publick Lands in Hopkinton, in the County of Middlesex, in the Province of the Massachusetts-Bay in New-England to make long Leases of the Said Land*. Read a 2d time, and a 3d. And pass'd a Concurrence.

A Petition of *Thomas Barnes*, *Joseph Jennings*, *Tilly Mirick* and *Thomas Gilbert*, Select-Men of the Town of *Brookfield*, was presented to the House and Read, praying confirmation of a Plat of the said Township, therewith exhibited, and that the said Town may have the same Powers that other Towns have.

Resolved, That the prayer of the Petition be Granted. And that the Bounds of the Township of *Brookfield*, be Granted, Confirmed and Established accordingly; and agreeable to a Plat thereof therewith exhibited, taken by *Timothy Dwight* Surveyor. And that the Inhabitants that now are and hereafter shall be, are invested with all Powers, Privileges and Authorities that other Towns are. And

210 Journal of the House of Representatives

that the choice of Town Officers, made in the said Town in *March* last, is hereby approved and confirmed. Sent up for Concurrence.

A Bill Intituled, *An Act for further continuing an Act in addition to an Act of Limitation for Quieting Possessions.* Read a 2d and 3d time.

And the Question being put, *Whether the Bill do pass to be Engrossed?*

It pass'd in the Negative.

A Bill Intituled, *An Act to enable John Barrel of Boston to make Sale of two several Tenements, Scituate in Cornhil Street, Boston, to Discharge a Mortgage, by him and his late Wife made thereon.* Read a first time.

A Memorial of *John Leverett*, President of *Harvard* College, was presented to the House & Read, Moving that the allowance for his Support in the said Office may be augmented for reasons therein alledged. Committed.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

B O S T O N : Printed & Sold by *B. Green.* 1719. [59]

VOTES

Of the House of Representatives.

Jobis 3. Die Decembris. 1719.

O Rdered, That Mr. *Speaker* Issue his Warrants, to Major *Buckminster*, Captain *Little*, Mr *Church*, Mr *Farley*, and Captain *Barker*. That they forthwith attend His Majesty's Service in this House.

The Bill Intituled, *An Act for Regulating the Qualifications, of the Members of the General Assembly.* Read a 3d time. And Pass'd to be Engrost.

Sent up for Concurrence.

A Bill Intituled, *An Act to Enable John Barrel of Boston, to make Sale of two several Tenements Situate in Cornhill Street Boston, to Discharge a Mortgage by Him and his late Wife made thereon.* Read a 2d and 3d time.

And pass'd to be Engrost. Sent up for Concurrence.

A Message to the Board by Col. *Dudley*, And Capt. *Gardner*, to inquire whether They have pass'd on the Vote of this House for Laying out two Towns Westward of *Groton*, Sent up Yesterday. Who Returned That the Council had Non-Concurred that Vote.

Post Meridiem.

The following Vote sent down from the Board, viz. In Council *December. 2d. 1719.*

Voted, That a Conference be desired with the Honourable House of Representatives, to be to Morrow at Four a Clock in the Afternoon, on the Subject matter of The Bill Intituled *An Act for Repealing a Clause in the Act Intituled, An Act for the making and Emitting the Sum of One Hundred Thousand Pounds in Bills of Credit &c.* Sent down for Concurrence. Read and Concurred;

And further *Voted*, That at the same time a Conference be had on the Vote of this House for Granting two Towns, Westward of *Groton*.

Sent up for Concurrence.

Voted, That Capt. *Noyes*, Mr. *Lindal*, Capt. *Throop*, Mr. *Barker*, and Mr. *Coffin*, be Managers, and that Capt. *Fullam*, be a Manager as to the Conference last mentioned.

The Bill Intituled, *An Act for the Regulation of the Decrees, and other Proceedings of the several Judges of Probate in the Respective Counties of this Province, and of Appeals therefrom.* Sent down from the Board. The Amendments of the House thereto, being all agreed except one. Read.

The Vote of this House Pass'd the 21 st *November* last, For the Prosecution of those who Trespass by Cutting of Timber, &c. on the Province Land.

Sent down from the Board. Concurr'd with Amendments, *viz.* To Expunge the words [Lying near *Merimake-River.*] And adding to the Committee, [Mr. *William Pynchon*, Capt. *Thomas Baker*, Mr. *John Dickinson*, Capt. *Joseph Hill*, and Capt. *John Leighton.*] Sent down for Concurrence.

Read and Concurr'd.

An Engrost Bill Intituled, *An Act for the Enabling William Dummer, William Tailer, Samuel Sewall, and Penn Townsend Esqrs. And others the Trustees of the publick Lands in Hopkinson in the County of Middlesex, in the Province of the Massachusetts-Bay, in New-England, to make long Leases of the said Lands.*

Read &

Resolved, That the Bill do Pass to be Enacted.

A Petition of *Thomas Creaghead*, Minster of the Gospel in *Freetown*, was Presented to the House and Read, Praying this Court to take into their Consideration, the Difficulties, that he meets with to obtain Support there, as exprest in his Petition. And that this Court will please to Grant him relief.

Ordered, That Capt. *Noyes*, Mr. *Balch*, and Mr. *Thompson*, be a Committee to whom the said Petition is referr'd, that they consider the Subject matter thereof, and Report the same with their Opinion thereon to the House. [2]

A Message from the Board that they have Concurr'd with the House in their Vote for a Conference, and Propose that it be attended to Morrow at Four a Clock.

Which was agreed by to the House.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Ueneris, 4. Die Novembris,¹ 1719. A. M.

A Petition of *Thomas Symmes*, *John Tufts*; and five others, Presented to the House, and Read; Praying the Grant of a Tract of Land, of Ten Miles on *Haverhill* North Bounds; the *Indian* Title whereof they Purchased in the Year 1701. Whereon a certain Number of *Irish* People have Settled, and call it *Nutfield*.

The Petition of *Peletiah Glover*, in behalf of the Town of *Brimfield*, Praying as entred the Tenth of *June* last, Read again.

And the Question being put, *Whether the Vote of this House Passed the 31st of May, 1715. On a Plat of three Miles to be added to the Town of Brimfield be Revived?* It Passed in the Negative.

Penn Townsend, Esqr. Brought down the Engrost Bill, Passed here to be Enacted, Entituled, *An Act, For Enlarging the Fees of Grand-Jurors, and for fixing an allowance to the Superiour Court of Judicature, for Hearing Petitions, and Granting Power for the Sale of Lands.* Moving that some words in the Preamble of the said Act may be Eras'd.

¹ Decembris.

Voted, That the said Rasure be made which was done, and the Bill sent up.

Captain *Noyes* from the Committee appointed, made Report on the Petition of *Thomas Creaghead*, praying as Entred yesterday. Which was accepted by the House, with some Alteration, and accordingly

Resolved, That the Sum of *Twenty Pounds* be allowed, and paid out of the Publick Treasury, to the Reverend Mr. *Thomas Creaghead*, for his present Relief; And that the Petitioner be Recommended to the Honourable Committee appointed to Dispose of the Money lately Collected in this Province, by a Brief, for the Propagating of the Gospel, &c. for further Relief. And that a further Consideration of the Matters of Complaint, in the Petition, be had at the Sessions of this Court in *May* next. And sent up for Concurrence.

A Petition of *John Willis*, *Ephraim Fobes*, and Sixty two others, Inhabitants of the Town of *Bridgewater*, Praying this Couut to Confirm a Vote lately passed there, Relating to their Settling of a Minister, and the Place of their Meeting-House, as exprest in the said Petition. Sent down from the Board, Passed on there, *viz.* In Council.

Read and Ordered, That a Hearing be had on this and the other Petitions of the Inhabitants of the Town of *Bridgewater*, referring to their Meeting-House, on the First *Tuesday* of the Session of the Court in *May* next.

Sent down for Concurrence. Read and Concurr'd.

The Bill, Entituled, An Act, *For the Regulation of the Decrees and other Proceedings of the several Judges of Probate, in the Respective Counties of this Province, and Appeals therefrom.* Read, and the Amendment of the Board thereon, not Agreed, but another Voted and Sent up in the stead thereof.

A Petition of *John Sale* of *Boston*, Shewing, That *Thomas Newman* of *Georgetown* on *Arowsick-Island*, Recovered Judgment against him at the Superiour Court, Held at *Boston*, in *November* last, for four Servants, and their Indentures, to be Delivered in Twenty Days to him, or in failure thereof, to pay the Sum of *Fifty Four Pound, Six Shillings, Eight Pence*, and Costs of Suit, and for the Sum of *Fifty Eight Pounds Sixteen Shillings*, and Costs, for the Earnings of the said Servants. And that the Petitioner at the same Court, Recovered Judgment against the said *Newman*, for the Sum of *Thirty Pounds, Two Shillings, Six-pence*, and Costs; Praying, That this Court will Order, That he may Discount the said Sum with the said *Newman*, who is unable in any other way to pay him, or that he may be indulged further time to procure the said Servants; and the said *Newman* obliged to acccept them at the Price they are valued by the Jury. Sent down from the Board. Passed on there, *viz.* In Council, *December 4. 1719.*

Ordered, That the Petitioner, Serve *William Newman*, with a Copy of this Petition, to know what he has to answer thereunto. Sent down for Concurrence. Read and Concurr'd, And that the Hearing be had at Ten a Clock to Morrow

214 Journal of the House of Representatives

Morning; The Petitioner first paying *Five Pounds* to the Secretary and Clerk of this Court.

Sent up for Concurrence. [3]

Post Meridiem.

An Account of *Joseph Marion*, of Writing done for this Court, this Session, and last, amounting to the Sum of *Six Pounds*, was Presented to the House for Payment.

Read and Resolved,

That the Sum of *Six Pounds*, be allowed and paid out of the Publick Treasury to Mr. *Joseph Marion* the Accomptant, to Discharge the Accompt.

Sent up for Concurrence.

An Accompt of *Samuel Gerrish*, of the Charge of Printing a Sermon, of the Reverend Mr. *Benjamin Colman*, per Order of this House, amounting to *Seven Pounds, Sixteen Shillings, Six Pence*, was Presented to the House for Payment.

Read and Resolved,

That the Sum of *Seven Pounds, Sixteen Shillings and Six-pence*, be allowed and paid out of the Publick Treasury, to Mr. *Samuel Gerrish*, the Accomptant, to Discharge his Accompt.

Sent up for Concurrence.

A Message from the Board, That the House do now come up to the Conferences appointed this Day.

Mr. Speaker and the House went up accordingly; and the Conferences being finished, returned again to their own Chamber.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 5. Die Novembris,¹ 1719. A. M.

THE Memorial of the Reverend Mr. *John Leverett*, Moving as Entred the 2 d Currant. Read again and *Resolved,*

That the Sum of *Fifty Pounds* be added to the Allowance of the Reverend Mr. *John Leverett*, Præsident of *Harvard Colledge*, for the Year coming, beginning in *January* next. Sent up for Concurrence.

An Engrost Bill, Entituled, *An Act, For the Regulation of the Decrees, and other*

¹ Decembris.

Proceedings of the several Judges of Probate in the Respective Counties of this Province, and of Appeals therefrom

Read and Resolved, That the Bill do pass to be Enacted.

Resolved, That the Sum of *Six Hundred Pounds* be Allowed and Paid out of the Publick Treasury, to his Excellency SAMUEL SHUTE, Esq; Captain General, and Governour in Chief of This His Majesties Province, for his Support in Managing the Affairs of the Government. Sent up for Concurrence.

A Message from the Board, by the Honourable *Samuel Sewall, Addington Davenport, Edmund Quincey*, and *Thomas Fitch*, Esqrs. That they have Re-considered and Concurr'd the Vote of this House for Laying out Two New Towns with some Amendments. And move that this House will Reconsider, The Bill Intituled, *An Act for Repealing a Clause in the Act Intituled An Act, For the Making and Emitting the Sum of One Hundred Thousand Pounds in Bills of Credit on this Province*. Whereon there was a Conferance of both Houses Yesterday. And they left the said Bill and Vote.

A Message from the Board, That the Honourable *Edmund Quincey* Esqr. Declined undertaking the Service of a Commissioner, Pursuant to the Vote of this Court, For Suppressing the Insolencies of the *Kennebeck* Indians, to which he is Chose by this Court, therefore Move that another be Chosen.

Resolved, That the Treasurer be Directed to Purchase good Bills of Exchange for *Three Hundred Pounds, Sterling*, to be paid to Mr. *Jeremiah Dummer* in London, Agent for this Province, further to Enable him to Negotiate the Affairs thereof. Sent up for Concurrence.

And then the House Adjourn'd till Monday next, Three a Clock Afternoon. [4]

June 7. Die Decembris, 1719. P. M.

A Petition of *Samuel Keep* of *Springfield* was Presented to the House and Read, Praying that he may be allowed the Sum of *l. 11—10—00* out of the Publick Treasury, for that Sum in the Bills of Credit on this Province, That were Burnt in and with his House. *Anno 1713*.

Resolved, That the Prayer of the Petition be Granted, And that the Sum of *Eleven Pounds Ten Shillings*, be allowed and Paid out of the Publick Treasury, to the said *Samuel Keep*, for the like Sum of the Bills of this Province, he brings Evidence were Burnt. Sent up for Concurrence.

The Vote of this House pass'd the Second Currant, For Laying out Two New Towns, Westward of *Groton*, Read again, Being Pass'd on in Council as follows *viz. December 5 th. 1717*. Read and Concurred with the Amendments. And Ordered That the Honourable *William Tailer*, and *Samuel Thaxter* Esquires, be added to the Committee for settling the said Places. That the Amendments are, *viz. After the word Containing in the first line; to blot out the words [the quan-*

tity of Six Miles Square at the least.] and to Insert [a quantity not exceeding Six Miles Square] and in the fourth line to blot out the words [as Defensibly as may be] and Insert [in a Defensible manner,] and Add A Lott not to exceed 250 Acres, and a Lott for *Harvard Colledge* of 250 Acres each.

Which was agreed to by the House.

An Ingrost Bill Intituled *An Act to Enable John Barrel of Boston, to make Sale of Two several Tenements, Situate in Corn-hill Street Boston, to Discharge a Mortgage by him and his late Wife made thereon.* Read and

Resolved, That the Bill do pass to be Enacted.

Resolved, That the Sum of *Thirty Pounds* be allowed and Paid out of the Publick Treasury, to *John White* Clerk of this House, for his service in the Year Currant. Sent up for Concurrence.

Resolved, That the Sum of *Twenty Seven Pounds Ten Shillings*, be allowed and Paid out of the Treasury, to *John Flagg* Door-keeper to his Excellency the Governour, and this Court, for his Service Half a Year, ending the 26th Day of this Month. Sent up for Concurrence.

Resolved, That the Sum of *Ten Pounds* be Allowed and Paid out of the Publick Treasury, to *John White*, Clerk of this House, for his Service in preparing and Transcribing the Votes of this House, for the present Year.

Sent up for Concurrence.

Voted, That a Message be sent up to the Board by Col. *Dudley*, and Mr. *Tay*, Proposing that the Judges of the Inferiour Court of Common Pleas for the County of *Middlesex*, should Adjourn the said Court for a Day; some of the Judges and others Convened, being Members of this Court.

A Message from the Board by *John Appleton*, and *Jonathan Belcher*, Esqrs. That His Excellency has Intimated to the said Judges to Adjourn for Two Dayes,

The Bill, Intituled, *An Act, For Repealing a Clause in the Act*, Intituled, *An Act, For the Making and Emitting the Sum of One Hundred Thousand Pounds in Bills of Credit on this Province, &c.* Sent down from the Board. Passed on there. *viz. December 7. 1719. Voted*, That the Board adhere to their Vote above.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Partis, 8. Die Decembris, 1719. A. M.

MR. *Michael Farley*, Representative of the Town of *Ipswich*, in Obedience to the Warrant of Mr. Speaker, made his Appearance, and offered his Excuse for his Absence.

Ordered, That his Excuse be accepted, he paying the Charge of the Messenger that was sent for him.

Capt. *Thomas Barker*, Representative of the Town of *Pembroke*, in Obedience

to the Watrant of Mr. Speaker, made his Appearance, and his Excuse for his Absence. [5]

Ordered, That his Excuse be accepted, he paying the Charge of the Messenger that was sent for him.

Thomas Church Esqr. Representative of the Town of *Little-Compton*, made his Appearance in Obedience to Mr. Speaker's Warrant, and offered his Excuse for his Absence.

Ordered, That his Excuse be Accepted, he Paying the charge of the Messenger that was sent for him.

A Letter from *Isaac Little* Esqr. Representative of the Town of *Marshfield*, Dated *December* 5 th. 1719 Return'd by the Messenger sent to him, Excusing his Absence, by reason of Extraordinary Business.

Which Excuse was not Accepted by the House.

Ordered, That the said *Isaac Little* Esqr. Pay as the Law Directs, for his Absence this Session to this time. And in Case of Default of Payment that he be Prosecuted by the Clerk of this House.

Capt. *Samuel Plaisted*, Representative of the Town of *Berwick*, having Absented himself from His Majesty's Service in this House, for some time without Leave obtained from the House.

Ordered, That he Pay as the Law Directs, for such his Absence; And in Default of Payment, That he be Prosecuted by the Clerk of this House.

The Vote of this House Pass'd the 18th of last Month, Appointing a Committee, to Run the Line between part of this Government, and the Government of *Rhode-Island*, Sent down from the Board, with a Letter from the Honourable *Samuel Cranston* Esqr. Moving that the said Committee may attend that Service on the last *Tuesday* of *December* Currant. And a Vote of the Council *viz. December* 8th 1719

Ordered, That the Committee Attend the Service abovementioned upon the 29 th. of this Instant *December*. Sent down for Concurrence. Read & Concurr'd.

Mr. *Cooke*, from the Committee Appointed made Report on the Accompt of *James Halkerston*, That was Committed the 17th. of *November* last, which was Accepted by the House. And accordingly

Resolved, That the Sum of *Twelve Pounds* and *Eleven Shillings*, be Allowed and Paid out of the Publick Treasury, to Mr. *James Halkerston* the Accomptant, to discharge his Accompt. Sent up for Concurrence.

Mr. *Cooke*, from the Committee Appointed, Made Report on the Memorial of Mr. Secretary *Willard*, Committed the 19th. of the last Month.

Which was Accepted by the House, And Accordingly

Resolved. That the Sum of *One Hundred Pounds*, be allowed and Paid out of the Publick Treasury, to *Josiah Willard*, Esq; Secretary of this His Majesty's Province, for this Year: And by reason of some extraordinary Services done by

218 Journal of the House of Representatives

Direction of the Government, which Required many Copies & Writings to be Sent Home, and his making an Index for several Books of the Records of this Court, That a further Addition of *Fifty Pounds*, be Allowed to him.

Sent up for Concurrence.

The Vote of the Board, on the Bill Intituled *An Act for Repealing a Clause in the Act Intituled An Act, For the Making and Emitting the Sum of One Hundred Thousand Pounds in Bills of Credit on this Province.*

Entered Yesterday. Read again and

The Question being put, Whether the House will Reconsider their Vote of Non-Concurrence on the said Bill? *It Pass'd in the Negative.*

Post Meridien.

The Commissioners of some Counties, for the Letting out the *l. 100000.* in Bills of Publick Credit on this Province, having Return'd their Accompts to this Court not so clearly and intelligibly framed, as that this Court can now Proceed to Pass upon them.

Ordered, That Mr. *William Clark*, Mr. Treasurer, and *John White* Clerk of this House, be a Committee to whom the said Accompts are Committed, to Sit in the Recess of this Court, to Inspect and Consider the same, and Digest them into proper Method, Prepare them for, and Lay them before this Court, with their Report thereon, at their next Session. [6]

And that the said Committee, send to such of the said Commissioners, for Explanation of their Accompts where occasion shall be, who are hereby Directed to furnish them therewith without Delay. Sent up for Concurrence.

A Draught of a Humble Address to His Majesty, Prepared by a Committee of both Houses, Sent down from the Board, Past upon there, *viz.* In Council *December 8th. 1719.* Read and Accepted, Sent down for Concurrence.

Read and Concurr'd with several Amendments.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 9. Die Decembris, 1719. A. M.

O*Ordered*, That Mr. *Haynes* his Excuse be Accepted, for his Absence this Session till this time.

An Accompt of *Edward Winslow* Sheriff of the County of *Suffolk*, of the Charge of sending sundry Expresses, on Publick Occasions, Amounting to the Sum of *l. 11—5—00* was Presented to the House for Payment.

Resolved, That the Sum of *Ten Pounds*, be Allowed and Paid, out of the Publick Treasury, to Mr. Sheriff *Winslow* the Accomptant, to Discharge the said Accompt. Sent up for Concurrence.

A Petition of *Andrew Fanevil* Merchant, was Presented to the House and Read; Praying that his Petition Offered at the last Sessions of this Court, may be further Considered, and that he may be Relieved according to the Prayer thereof.

Ordered, That the Report which Mr. *Cooke*, made from the Committee appointed the 18th. of *November* last, and was then Accepted by the House, and then Sent up, in further Answer to his Excellency the Governours Speech and which was then Read, and Accepted by the House be now Printed.

It is as follows, *Viz.*

In further Answer to His Excellency the GOVERNOURS Speech,
at the Opening of this Session

It is humbly Offered,

THat forasmuch as King *WILLIAM* and Queen *MARY*, of Blessed Memory; by their Royal Charter, were Graciously Pleased to Gratifie Their Subjects, the Inhabitants of this Province, with such Powers, Priviledges and Franchises, as in their Royal Wisdom was thought most conducing to the Interest and Happy State of the People here, thereby bringing them under so good a Form of Government, and Giving and Granting to the Governour, and the Great and General Court of the said Province, full Power and Authority, to Make, Ordain and Establish all manner of Wholsome and Reasonable Orders, Laws, Statutes and Ordinances, &c. (so as the same should not be repugnant or contrary to the Laws of the Realm of *England*) as they should judge would be for the good and welfare of the same; Being thereby favoured with very many valuable Liberties and Priviledges which ought at all times to Demand from us our grateful Acknowledgements thereof, as well as our Dntiful and Loyal Dependance on, and Submission to the Crown and Government of *Great Britain*; by whom under GOD, we are still in the quiet and peaceable Use and Improvement thereof; and being under the Reign of so Glorious a Prince, who ever since His Happy Accession to the Crown, has manifested a tender Regard to the Liberties of His Subjects; gives us great hopes that our happy Constitution will be preserved to us, and our Posterity. And in order thereunto, we ought to inform our selves of our Rights, because our Prosperity or Infelicity intirely depends upon the Enjoyment or Deprivation of Liberty; least for want of a right understanding of them, we should at any time exceed the true bounds and limits thereof; Wherefore it most certainly highly Imports this Government in Framing and Passing all Laws and Ordinances, to take care that they are not repugnant and contrary to the Laws of *Great Britain*. [7]

WE are humbly of Opinion, that it very well deserves the Care of this Government to make strict Laws, with severe Penalties, not only to prevent all Frauds and Abuses in the making of Pitch and Tarr, but to take some more effectual care that

they be good, clear and clean put up, that not only the Importer may receive the Præmium, but the Honour and Reputation of the Government, as well as the Merchant may not be Impeached.

And that to Effect the same, the Laws already made, for preventing the aforesaid Abuses may be Enforced, by giving greater Rewards to such Officers, as are, or shall be appointed to Inspect that Matter, that shall Inform and Discover such vile Cheats.

We are also very sensible, that the Preservation of His Majesty's Woods, according to the Reservation in the Royal Charter, as well as the Supporting and Encouraging the Surveyor General, in the Execution of his Office, is what may justly be expected from us; And that this Government made and passed an Act, in the First Year of His Majesties Reign, To prevent the Stroy and Waste of Timber growing within this Province. And that the Right Honourable the Lords of Trade and Plantations, have been Informed, that not only great waste is and has been committed upon the King's Timber, and that the Surveyor has been discouraged in the Execution of his Office we make no doubt of. And if any waste has been committed, the Surveyor General has been the chief, if not only Instrument thereof, by Selling and indulging divers People for considerable Sums of Money, to go into the Woods to Cut Trees for Loggs, and other Uses, by which indirect means many very valuable Pines have been Sold and Converted to Private Men, which hath been evidently to appear by the Affidavits of sundry persons of known Credit and Reputation, and produced and laid before the Assembly, at their last Sessions, as well as some other Sessions before. And we suppose before this time have been shewn to that Honourable Board, pursuant to the Orders and Instructions given to Mr. Agent Dummer, by this House, at their last Session; Whereby their Lordships will be enabled to see who has been in a very great degree the Instrument of the strip and waste lately made, who is very likely to be the person that Informed, tho' not of himself. But that the Surveyor himself has been obstructed in the Execution of his Office, is what he never has been yet able to maintain and make appear to us, notwithstanding all his attempts to Evince the same, unless he imagines it an obstruction for People to Refuse to give him Money to improve the Timber Trees in their own Properties, which he strenuously endeavoured to perswade them into, and had obtained the same, if not seasonably prevented.

And as touching the other Complaints, that great quantities of Timber have been carried off from New-England to Spain.

We hope, and from the best Information can get, do not understand that there has been any quantities of Timber Exported out of this Province to Spain, and would therefore humbly presume, that there is no just ground to Charge this Government with allowing or indulging any here in any such Illegal Trade; who would rather use all proper Methods to Suppress the same, as well as by all lawful ways, prevent any Damage to His Majesty, by the spoil of his Woods, for that we should look at it in-

*excusable for us, either to afford any Assistance to His Majesty's Enemies, or Dis-
poil Him of his Interest here.*

*The Exceptions taken to the Act Referred to in His Excellency's Speech, which
occasioned their Lordships dislike thereof, We readily acknowledge to be very just,
and highly reasonable.*

And therefore a new Act is preparing for the Ends therein mentioned.

*And if any thing further can be done for the Encouragement, and Regulation of
Pitch and Tarr and Hemp; the last of which has lately by an Act a Præmium of
Two-pence per Pound for all good Merchantable Hemp, Raised in this Province,
notwithstanding which, if any Method can be thought on, which will Advance the
Produce thereof, that they be speedily Enforced and put in practice.*

*The House has before them the Accompts of most of the Commissioners of the
Monies upon the Publick Loans, and intend the same be Adjusted this Session, fully
agreeing with His Excellency, the sooner these Matters are perfected, the better.*

*Grain, Provisions, and other Necessaries of Life, being in great measure the Prod-
uce of the Neighbouring Governments, and though they have for some time past born
a very great Price, yet under our present Circumstances, An Act, to prevent the Ex-
portation thereof, seems to have some Difficulties attending it.*

*Having duly Considered the Temper and Circumstances of the Eastward Indians,
and being well apprized of their Insolencies to the Inhabitants of the New Settlements
there, would propose that some suitable and effectual means be without delay set on
foot to sup- [8] press the same; so that the People there may be protected and en-
couraged, who have been at very considerable Charge and Expence in bringing forward
the same in so great a Measure as they have already done, that should they now be
obliged to quit their Habitations, and come off with their Families and Effects, it is
not hard to conceive the Distressing Circumstances that would soon follow them; but
also many dishonourable Inconveniencies it would bring upon the whole Province,
which by the Blessing of God, this Government without Excessive Costs and Charges
may now prevent.*

John Burrell, Speaker.

A Message from the Board, that the Court now Proceed to the choice of a
Commissioner to go to the Eastern Frontiers, in the room of the Honourable
Edmund Quincey Esqr. who declines that Service.

The Votes of the House were accordingly Prepared, and Sent up by Capt.
Chambers, and Capt. Gardner, who Return'd, and Reported that John Stoddard
Esqr. was chosen by a Major part of the Voters.

A Bill Intituled, *An Act for the more Effectual Promoting Schools of Learning, and better Support and Encouragement of Able School-Masters* (Prepared by the Committee of both Houses, Appointed for that end,) having been Pass'd upon at the Board to be Engrost, was Sent down for Concurrence. Read.

A Petition of *Jonathan Page of Groton* by *Samuel Willard* his Attorney, was Presented to the House and Read, Praying that he may be Enabled to Prosecute his Appeal from a Judgment of the Inferiour Court of Common Pleas, held at *Charlestown* in *December* last, in a Case between him and *Nathaniel Sparhawk* and *Simon Gates*, by which they recovered 120 Acres of Land in *Lancaster* and Costs of Suit, his Attorney having Directed his Reasons of Appeal, by mistake to the Justices of the Superiour Court to be held at *Charlestown* for the County of *Essex*, whereas it should have been *Middlesex*.

An Accompt of *Samuel Tyley Jun.* and *Mr. Benjamin Rolfe* of Writing done for this Court, last Year and this, Amounting to the Sum of *l. 5—11—00* was Presented to the House for Payment. Read, and

Resolved, That the Sum of *Five Pounds* and *Eleven Shillings*, be Allowed and Paid out of the Publick Treasury, to *Mr. Samuel Tyley* and *Benjamin Rolfe* the Accomptants, to Discharge the said Accompt.

Sent up for Concurrence.

Post Meridiem.

A Bill Intituled, *An Act, For the more Effectuall Promoting Schools of Learning, and better Support and Encouragement of Able School Masters.*

Read a 2d. time.

A Petition of *Henry Sharp* of *Boston* Administrator on the Estate of *Patrick Ogilvie* Deceased, shewing that at *January* Court last; Messieures *John* and *James Alford*, brought an Action against him as the Drawer of a Bill of Exchange in his private Capacity, when the said Bill was drawn as Administrator aforesaid, and his Attorney Pleaded Not Guilty only, and thereby Subjected him and his Estate to the Judgements in his private Capacity and not as Administrator only, to his great wrong: Praying Relief.

Sent down from the Board, Pass'd upon there, viz.
in Council, *December 8. 1719.*

Read and Resolved, That the Tryal had between Messieurs *John* and *James Alford* and the Petitioner, at the Inferiour Court Holden at *Boston* the First *Tuesday* of *January* last, upon a Bill of Exchange, was a Mis-Tryal the Issue being wrong joined, The Bill of Exchange being Drawn by the Petitioner as Administrator to the Estate of *Patrick Ogilvie*, when the Judgment is Entered up in his Personal Capacity. And

Ordered, That the Eecution Levied on the Estate of the Petitioner be set aside, and that there be a new Tryal upon the said Bill of Exchange, to be brought [9] forward by the said *Alford's*, against *Henry Sharp*, the Petitioner, when they see meet, the said *Sharp* to Pay the Costs hitherto sustained.

Sent down for Concurrence.

Read and Concurr'd.

An Affidavit of *Archibald Mackpheadres*, An an Affidavit of *Samuel Plaisted*, The First taken at *Portsmouth*, the 16th. of *May*. And the other the 12th. of *June*, 1718. Before *Thomas Packer*, Justice of Peace, Expressing what they heard *Elisha Cooke*, Esqr. say concerning Mr. *Bridger's* Power in the Province of *Main*.

Sent down from the Board.

Read.

Upon a Motion made, and Consideration had of the growing Charge and Expencc that attends the Honourable Judges of the Superiour Court of Judicature, in the Discharge of their Office.

Resolved, That the Sum of *One Hundred Pounds*, be further Allowed and Paid out of the Publick Treasury, to the said Honourable Judges.

Sent up for Concurrence.

The Petition of *Andrew Fanevil* Praying as Entered this Day, further Considered, And

Ordered, The said Petition be Referred to the Session of this Court in *May* next.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Tovis, 10. Die Decembris, 1719. A. M.

AN Account of *Joseph Russel*, of the Charge of Conducting and Subsisting *Twenty Six* French-men, (taken up, and brought in from Sea their Vessel being foundered.) from *Rowley* to *Boston*, Amounting to the Sum of *l. 6—19—2* was Presented to the House for Payment.

Resolved, That the Sum of *Six Pounds Nineteen Shillings* and *Two-pence*, be Allowed and Paid out of the Publick Treasury, to *Joseph Russel* the Accomptant, to Discharge the said Accompt. Sent up for Concurrence.

Upon a Mottion being made.

Ordered, That the Vote Pass'd the 8th Currant, Respecting Mr. *Little*, be Reconsidered; And that he be Excused for his Absence, If *Thirty Shillings* be now Paid on his Account: And his proportion of the Charge of the Messenger that was Sent for him and others.

A Petition of *Seipio*, a Negro Man who was Servant to the Late Reverend Mr. *William Brattle* of Cambridge, Deceased. Presented to the House and Read, Praying the favour of this Court as to his Manumission, That the Estate of his said late Master may be Indemnified from any Charge that may happen by him, in Case he be made Free.

Resolved, That the Prayer of the said Petition be Granted, And that the Estate of his said Late Master, be Acquitted from any Charge that may arise, by the Petitioners being set Free. Sent up for Concurrence.

This House being Informed, that a Number of the *Kenebeck* Indians, are now at or about *Casco-Bay*, and may the more easily be brought together to be Discours'd with.

Voted, That the Commissioners Appointed by this Court to go *Eastwaad*, &c. Be desired to Proceed in that Affair as Expeditiously as may be.

Sent up for Concurrence.

The Petition of *Henry Sharp*, Praying as Entered Yesterday. Read again, And the Vote of Council thereon. Read & Concurr'd. [10]

Mr. Secretary *Willard* brought down the Additional Answer of this House, to His Excellency's Speech, with the following Message, viz.

Mr. Speaker,

I Am Commanded by His Excellency, to bring down to the Honourable House their Additional Answer to His Excellency's Speech, as the same is called, and to Acquaint you that His Excellency cannot look upon it as a proper Answer to His Speech, at the Opening of the Session; and thinks it will not be for the Honour and Service of this Government, to have it made Publick, and therefore desires the same may not be Printed; and that he will wait for your Answer about the same.

Ordered, That a Message be sent up to His Excellency the Governour, Requesting, that His Excellency will be pleased not to insist on the not Printing the further Answer of this House to His Excellency's Speech; in that the Speech contained Matters of Complaint, which His Excellency was directed to lay before the Court, and being in Print, made the Answer thereunto necessary to be so likewise: Which was sent up by Capt. *Noyes*, Capt. *Throop*, Capt. *Clark*, Capt. *Gardner*, and Mr. *Bordman*.

A Message from His Excellency the Governour, by Mr. Secretary *Willard*, That His Excellency insists upon his Request sent down this Forenoon.

Voted, That the House insists upon their former Message for the Printing their Additional Answer to His Excellency's Speech.

A Message from the Board, by the Honourable *Addington Davenport*, *Thomas Fitch*, and *Samuel Thaxter*, Esqrs. That Commissioners are appointed to Run the Line between this Government and the Government of *New-Hampshire*, but no Instructions are yet prepared for them; Moving the House to express their Minds in that Affair.

Post Meridiem.

Voted, That it be left with His Excellency the Governour and Council, to give Instructions to the Committee appointed by this Court, to run the Line between this Government, and the Government of *New Hampshire*, fully Impowering them to Adjust and Settle the said Line

Sent up for Concurrence.

A Message sent up to His Excellency the Governour, by Mr. *Clark*, Mr. *Barker*, Capt. *Kent*, Mr. *Hitchcock*, and Mr. *Foster*, That the House insist upon their former Message for the Printing their further Answer to His Excellency's Speech

Who Return'd, That His Excellency said, His Majesty had given him the Power of the Press, and he would not suffer it to be Printed.

A Message from His Excellency the Governour, by Mr. Secretary *Willard*, viz. Mr. Speaker, His Excellency Commands me to acquaint this Honourable House, That as he has not Charged the Government with Hindering the Surveyor General of the Woods, in the Execution of his Office, but has only repeated in his Speech his Instruction from the Lords Commissioners of Trade and Plantations, which he is obliged to do. He thinks it very important that [11] the paragraph in the Additional Answer to his Speech, relating to the said Surveyor General should be Printed; and that if the said Paragraph be withdrawn, his Excellency will not hinder the Printing the said Answer; and that he will wait your Answer.

The Question being put, *Whether the said paragraph be left out of the said further Answer?*

It Pass'd in the Negative.

Voted, That a Message be Sent up to His Excellency the Governour, That this House did not so understand his Excellency's Speech, as if his Excellency had

226 Journal of the House of Representatives

Charged the Government with hindering the Surveyor General of the Woods, in the Execution of his Office. Which Message was sent up by Capt. *Noyes*, Mr. *Clark*, Mr. *Torrey*, and Major *Quincey*.

A Message from the Board, by Mr. Secretary *Willard*, That this House do now attend His Excellency in the Council-Chamber. Mr. Speaker and the House went up accordingly, and Mr. Secretary *Willard* by His Excellency's Command, Prorogu'd the Court to the Thirtieth Day of *March* next, at Ten of the Clock in the Forenoon.

Boston, Printed by *N. Boone*, at the Request and Appointment of the Representatives of *Boston*; Mr. *Bartholomew Green*, the former Printer to the House, Refusing to Print the same. *December 14. 1719.*

JOURNAL of the House of Representatives.

At a Great and General Court or Assembly of this His Majesty's Province of the *Massachusetts-Bay* in *New-England*, Begun and Held at *Boston*, upon Wednesday the 25th Day of *May*, Anno Domini, 1720.

THE Honourable *Penn Townsend*, *Jonathan Belcher* and *Paul Dudley* Esqrs; came down from the Council-Board, and Acquainted the House, That they were Appointed and Authorized by His Excellency the Governour, That this House should Take the Oaths, Make and Subscribe the Declaration, Take and Subscribe the Oath of Abjuration (as by the Royal CHARTER of this Province is Directed) before them, which was accordingly done by all the Members present, and then withdrew.

The Names of the Persons returned to Serve for and Represent the several Towns, are as follows. *Viz.*

Boston, { *Elisha Cooke*, Esq; *Speaker*
 { *Oliver Noyes* Esq;
 { *Mr. Isaiah Tay*
 { *Mr. William Clark*.
Roxbury, *William Dudley* Esq;
Dorchester, *Maj. Tho. Tilestone*
Milton, *Mr. Ephraim Tucker*
Brantry, *Maj John Quincey*
Weymouth, *Mr. John Torrey*
Hingham, *Mr. Lazarus Beal*
Dedham, *Mr. Joseph Ellis*
Maldfield, *Mr. John Fisher*
Mendon, *Josiah Capin*, Esq;
Wrentham, *Mr. Eben Fisher*
Woodstock, *Maj John Chandler*
Brooklin, *Mr. Josiah Winchester*
Oxford, *Capt. Richard Moore*
Needham, _____
Salem, { *Mr. Timothy Lindal*
 { *Capt Peter Osgood*
Ipswich, { *Joh. Wainwright* Esq;
 { *Mr. Nath. Knolton*
Lynn, *Mr. Richard Johnson*
Newbury, { *Col. Hen. Somersby*
 { *Mr. Nath Coffin*
Marblehead, *Mr. Wm. Stacey*
Beverley, *Capt Joseph Herrick*
Wenham, *Mr. John Got*
Topsfield, *Capt Tobijah Perkins*
Andover, *Mr. Nehemiah Abbot*
Bradford, *Mr. Sam Tenny*
Haverhill, *Mr. John Sanders*
Boxford, *Mr. Joseph Hale*
Rowley, *Mr. Timothy Harris*
Saisbury, *Mr. William True*

Amesbury, *Capt. John Foot*
Glocester, *Mr. James Sayword*
Cambridge, *Col. Edmund Goff*
Charles- { *Mr Eben. Austine*
town, { *Capt. Wm. Rowse*
Watertown, *Mr. Samuel Sterns*
Newton, *Mr. Ebenezar Stone*
Sudbury, *Hopestill Brown*, Esq;
Marlborough, *Capt Peter Rice*
Sherburn, *Mr. Eleaz. Holbrook*
Lancaster, *Mr. Joseph Wilder*
Framingham, *Mr. Jonath. Rice*
Groton, *Capt Jona. Prescott*
Concord, *Mr Benj. Whittemore*
Chelmsford, *Mr. Stephen Pierce*
Billerica, *Oliver Whiting*, Esq;
Woburn, *Mr. Samuel Walker*
Reading, *Mr. John Brown*
Malden, *Mr. John Greenland*
Lexington, *Mr. Fran. Bowman*
Weston, *Francis Fullam*, Esq;
Maldford, *Thomas Tufts*, Esq;
Stow, *Capt. Jacob Stevens*
Springfield, *Luke Hitchcock*, Esq;
Northampton, *John Stoddard*, Esq;
Hadley, *Mr. John Nash*
Hatfield, *Mr. John Dickinson*
Westfield, *Mr Tho. Noble*
Suffield, *Mr. John Austin*
Enfield, *Capt. Sam. Terry*
Deerfield, *Mr. Sam. Barnard*
Brookfield, _____
Plymouth, *Mr. John Foster*
Scituate, *Mr. Steven Clap*
Marshfield, *Isaac Little*, Esq;

Duxbury, *Mr. Joh. Wadsworth*
Bridgewater, *Mr. Rich. Davenport*
Rochester, _____
Middleborough, *Mr. Sam. Barrow*
Plympton, *Mr. Benoni Lucas*
Pembroke, *Capt. Tho. Barker*
Barnstable, *Shubal Gorham*, Esq;
Sandwich, *Maj. Meletiah Bourn*
Yarmouth, *Mr. Joseph Hall*
Eastham, *Mr. Samuel Knowles*
Harwich, *Mr. Kenelm Winslow*
Truor, *Mr. Tho. Mulford*
Bristol, *Capt. Wm. Throop*
Taunton, *Mr. Robert Crossman*
Swanney, *Mr. Joseph Mason*
Rehoboth, *Mr. Daniel Carpenter*
Little-Compt. *Mr. Syl. Richmond*
Dighton, *Mr. Joseph Atwood*
Truerton, *Mr. Gershom Woodel*
Attleborough, *Mr. John Dagget*
Norton, *Mr. Samuel Hodges*
Barrington, *Mr. Zech Bicknel*
Dartmouth, *Capt. John Akin*
Freetown, *Mr. Sam Foreman*
York, *Mr. Samuel Cane*
Kittery, *Capt. Wm. Pepperell*
Berwick, *Capt. Elisha Plaisted*
Wells, *Mr. Francis Sawyer*
Falmouth, *Samuel Moody*, Esq;
Biddford, _____
Chilmark, { *Pain Mayhew*, Esq;
Tisbury, { _____
Edgartown, _____
Nantucket, *George Bunker*, Esq;

The House Proceeded to bring in their Written Votes for a Speaker, which being Examined, It appeared that *Elisha Cooke* Esq; was chosen by a major part of the House, and he was accordingly conducted to the Chair.

The House Proceeded to the Election of a Clerk by Written Votes, which being Examined, It was found that Mr. *John White* was chosen by a major part of the House. And he was sent for to the House.

A Message sent to His Excellency the Governour at his House, by Maj. *Chandler*, Col. *Dudley*, and Mr. *Coffin* to Report to His Excellency, that the House have chosen *Elisha Cooke* Esq; their Speaker. Who Return'd that His Excellency said, It was very well.

Mr. Justice *Chandler* Administred the following Oath to the Clerk in presence of the House. *Viz.*

Y*ou do Swear, That you will faithfully discharge the Office & Duty of Clerk of this House according to the best of your Skill and Knowledge. So help you GOD.*

The usual Orders of the House Read, and

Ordered, To be the Rules and Orders of this House during the Session and Sessions thereof.

Ordered, That Capt. *Chapin*, Mr. *Tucker*, and Mr. *Stone*, be Monitors of the House, to take care that the Orders thereof be duly observed. [2]

Post Meridiem.

A Message from the Board by Mr. Secretary *Willard*, That his Excellency the Governour is now in Council, and expects there to receive the Message of the House, respecting their Choice of a Speaker.

Ordered, That a Message be sent up to his Excellency the Governour by Capt. *Noyes*, Mr. *Tay*, and Mr. *Lindal*, That this House sent a Committee, in the Forenoon to his Excellency's House, to Report to his Excellency that the House had Chosen *Elisha Cooke*, Esq; their Speaker. Who return'd Answer to the House, that his Excellency said it was very well.

The said Members having attended the Order of the House, returned Answer, that his Excellency said he expected that Message now he is in the Chair, and that he had neither received such Message, nor given such Answer.

Ordered, That a Message be sent up to the Board by Mr. *Clark*, Col. *Goffe* and Mr. *Wainwright*, That the House are now ready to proceed to the Choice of 18 Counsellours, for the late Colony of the *Massachusetts Bay*, and desire them to join in the Choice.

Who returned that his Excellency said no such Election should be made, till he is acquainted who is chosen Speaker of the House.

Ordered, That a Message be sent up to his His Excellency the Governour now

he is in the Chair, by the same Committee that waited on his Excellency in the Forenoon at his House, *viz.* Maj. *Chandler*, Col. *Dudley* and Mr. *Coffin*, That this House have Elected *Elisha Cooke*, Esq; to be their Speaker.

Who returned, That his Excellency said the Gentleman chosen Speaker, had formerly affronted him, as he was the King's Governour, and that therefore he did Negative the choice, according to the Power given him in the Royal CHARTER of this Province. And desired the House to proceed to Elect another Speaker.

Ordered, That a Message be sent up to his Excellency the Governour, That this House have Elected a Speaker, according to the ancient and undoubted Rights and Usage of this House, and therefore insist upon their Choice. And at the same time to the Board, that the House desire they will now Join with them in the Election of 18 Counsellors for the late Colony of the *Massachusetts-Bay*. Sent up by Maj. *Bourn*, Capt. *Throop*, Col. *Somersby*, Capt. *Noyes* and Mr. *Little*.

Who Return'd, That his Excellency said he had received a Message from the House this Afternoon, of their Choice of a Speaker, and had Negativ'd the Choice, and he was no Speaker.

Ordered, That a Message be sent up to the Board, that this House have sent up two Messages to the Board, desiring them to join with them in the choice of 18 Counsellors for the late Colony of the *Massachusetts-Bay*, to which they had received no Answer, but desire their Answer, whether they will join with the House in the said choice. Sent up by Maj. *Stoddard*, Mr. *Clark* and Capt. *Osgood*, who return'd, that Answer would be made by a Message from the Board.

Mr. Secretary *Willard* brought down the following Message, *viz.* *His Excellency Orders me to Acquaint you, he is informed that Governour Dudley did in his Government disallow of a Speaker chosen by the House, and that his Proceedings therein were approved by the Commissioners of Trade and Plantations, and that he was thereupon directed from the said Lords Commissioners, to acquaint the Council, that it would not be thought fit, that her Majesty's Right of having a Negative upon the Choice of a Speaker be given up, and which was reserved to her Majesty, as well by the Charter, as the Constitution of England.*

A Message from the Board by *Samuel Brown*, *Thomas Fitch* and *Paul Dudley*, Esqrs; That the Council are ready to Join with the House in the choice of eighteen Counsellors for the *Massachusetts*. The House brought in their Votes accordingly.

Ordered, That Capt. *Noyes*, Col. *Dudley*, Capt. *Fullam*, Maj. *Quincey* and Maj. *Chandler* be a Committee to carry up the Votes of this House for Counsellors, and assist in sorting and numbring them together with the Votes of the Board, and Report to the House the several Elections that shall be made.

The said Committee carried up the Votes of the House for eighteen Counsellors that are Inhabitants or Proprietors of Land in the Territory formerly called the

Massachusetts-Bay. And Reported that Eighteen were Chosen by a Major part of the Voters. *Viz.* [3]

The Honourable, <i>William Dummer Esq ;</i>	<i>William Tailler Esq ;</i>	<i>Samuel Sewall Esq ;</i>
<i>Penn Townsend Esq ;</i>	<i>John Appleton Esq ;</i>	<i>Samuel Patridge Esq ;</i>
<i>Edward Broomfield Esq ;</i>	<i>Nathaniel Norden Esq ;</i>	<i>Benjamin Lynde Esq ;</i>
<i>Addington Davenport Esq</i>	<i>John Clark Esq ;</i>	<i>Thomas Hutchinson Esq ;</i>
<i>Samuel Brown Esq ;</i>	<i>Thomas Fitch Esq ;</i>	<i>Jonathan Belcher Esq ;</i>
<i>Jonathan Downe Esq ;</i>	<i>Samuel Thaxter Esq ;</i>	<i>John Burril Esq ;</i>

For Four that are Inhabitants or Proprietors of Land within the Territory formerly called *New-Plymouth*, and Reported that Four were chosen by a major part of the Voters. *viz.*

Nathaniel Byfield Esq ; Isaac Winslow Esq ; John Cushing Esq ; John Otis Esq ;

For Three that are Inhabitants, or Proprietors of Land within the Territory formerly called the Province of *Maine*, and Reported that Three were chosen by a major part of the Voters, *viz.*

John Wheelwright Esq ; Joseph Hammond Esq ; and Charles Frost Esq ;

For one that is an Inhabitant or Proprietor of Land lying within the Territory between *Sagadahoc*, and *Nova Scotia*, and Reported that One was chosen by a major part of the Voters, *viz.*

Paul Dudley Esq ;

For Two that are Inhabitants or Proprietors of Land in any part of the Province, and Reported that Two were chosen by a major part of the Voters. *viz.*

Nathaniel Paine Esq ; Edmund Quincey Esq ;

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Jobis 26. Die Marti, 1720. A. M.

Ordred, That Capt. Noyes, Capt. Osgood, Maj. Chandler, Maj Stoddard, Col. Somersby, wait on his Excellency the Governour with the afore-written List of Councillors or Assistants, newly chosen for the Year ensuing for his Excellency's approbation of the Persons therein Named, to be given in Writing under his hand.

The said Members, Return'd that they had waited on his Excellency at his House, and that his Excellency said he would be at the Council Chamber presently, and receive it there, that he receiv'd no Message but in the Chair.

The House Proceeded to Examine the Returns of the Precepts, from the several Towns, of the choice of Representatives, and passed thro' the same.

Ordered, That the Excuse of the Town of *Needham* for their not sending a Representative, (*viz.* their present charge in Building a Meeting-House, for Publick Worship, and a Ministers House) be accepted.

Ordered, That the Excuse of the Town of *Manchester* for their not sending a Representative, (*viz.* their present charge in Setling a Minister) be accepted.

There being no Precept return'd from several Towns in the County of *Middlesex*, & some of the Members acquainting the House that no Precept has been sent to several of them.

Ordered, That the Sheriff of the said County be directed to attend this House on Saturday Morning next, to give an account whether he has done his duty in that matter.

Ordered, That the Excuse of the Town of *Brookfield*, for their not sending a Representative, *viz.* their present charge in Building a Meeting-House for the Publick Worship, and a Ministers House, be accepted.

Ordered, That Mr. *Lindall*, Col. *Dudley*, Capt. *Fullam*, Maj. *Stoddard*, and Maj. *Chandler*, be a Committee to Examine, and Consider the subject matter and Allegations of such Petitions as are presented to the House, and Referred to them, and Report the same, with their Opinion thereon to the House.

Post Meridiem.

A Letter from Mr. *John Dickinson* Representative of the Town of *Hatfield*, dated there, *May* 23d. Currant, Excusing his not attending the House by reason of bodily Illness. Read.

A Petition of *John Cotton* Clerk, Minister of the Gospel, in the Town of *Newton*. Presented to the House & Read, praying that he may be allowed, *l.* 7. out of the Publick Treasury, for one 5 *l.* & two 20 *s.* Bills of Credit on this Province, that were burnt in & with his Dwelling House on the 24th of *March* last.

Ordered, That the Votes of this House be Printed twice a Week. And that the Representatives of the Town of *Boston* be Desired to take care to have it done. And that so many be Printed that each Representative may have a Copy for his own Use, and a Copy to deliver to the Clerk of his Town for the use of the Town.

The House being Informed that his Excellency the Governour had Adjourn'd the Council till Saturday Ten a Clock, Inquir'd of the Committee appointed to Attend his Excellency the Governour with the List of the Councillors newly chosen for his Approbation, Whether they had attended that Service? And the said Committee Reported that both in the forenoon & afternoon, as soon as they understood his Excellency was in the Chair, they were going up to wait on him with the List, but perceived his Excellency was withdrawn.

And then the House Adjourn'd till Saturday next Ten a Clock in the forenoon. [4]

Sabbati 28. Die Martii 1720. A. M.

MR Sheriff *Gookin* in Obedience to the Order of the House, appeared before them and was Interrogated, relating to the failure of Precepts, being sent to several Towns in the County of *Middlesex*, and he acknowledged there are

some new Towns that he did not send Precepts to, thinking it was needless, and that through Mistake, he had omitted sending a Precept to the Town of *Westborough*, supposing it still to belong to the Town of *Marlborough*. And begged the Excuse of the House for his Failure. And then was directed to withdraw.

Ordered, That Mr. Sheriff *Gookin* be again called into the House, and Reprimanded by Mr. Speaker, in the Name of the House for his neglect in not sending Precepts to some Towns, in his County & not taking effectual Care to make Return of Precepts that were sent to other Towns, which last neglect is aggravated, in that he had been the last Year reproved by this House for the like Neglect; and that he be admonished to be more careful of his Duty for the Future.

Which was accordingly done, and the Sheriff dismissed.

The Committee appointed made Report that they had waited on his Excellency the Governour, with a List of the Counsellors newly Chosen, for his Approbation, and left it with him.

The said List was returned to the House by Mr. Secretary *Willard*, there being entered thereon as follows, *viz.* In Council *May* 26th 1720. The Election of the Gentlemen named on the other side, to be Members of His Majesty's Council for the ensuing Year, was Yesterday duly made and performed.

Attest. J. Willard, Secretary.

I do not Accept of *Nathaniel Byfield*, Esq; I do not Accept of *John Clark*, Esq;

The rest are Accepted of *SAMUEL SHUTE*

Mr. *Clark* from the Committee appointed by this Court the last Sessions, to Inspect the Accompts of the Commissioners of several Counties for the *l.* 100000 Loan, Digest them into Form, &c. Presented their Report which was Read, importing, that they had attended the Order of the Court and found it necessary, that the said Accompts should be drawn anew out of their Books, and had sent to them plain Forms wherein to do it, but had received no Answer from any of them, except the Commissioners for the County of *Middlesex*, who are drawing out their Accompts agreeable to the said Form.

A Memorial of Capt. *Zechariah Tuthill*, Lieutenant, and Victualler of His Majesty's Castle *William*, Presented to the House and Read, praying, That he may be allowed Six Shillings per Man, per Week for Victualling the Soldiers there, as he was last Year, for reasons therein alledged.

Ordered, That the said Memorial be Committed to the Committee for Petitions.

An Accompt of *John Dyer*, Treasurer of the County of *Plymouth*, from *March* 7th 1717. 18 to *May* 1st 1719 being allowed at the Court of General Sessions of the Peace for the said County Presented to the House for allowance. Read and

Ordered, That the said Accompt be allowed. Sent up for Concurrence.

An Accompt of *Ebenezer Lewes* Treasurer of the County of *Barnstable*, from *April* 1719. to *April* 1720. being allowed at the Court of General Sessions of the Peace, for the said County. Presented to the House for allowance. Read and

Ordered, That the said Accompt be allowed. Sent up for Concurrence.

An Accompt of *Abraham Prebble*, Treasurer of the County of *York*, from *April 9th 1719.* to *April 5th 1720* being allowed by the Court of General Sessions of the Peace in the said County. Presented to the House for Allowance. Read and

Ordered, That the said Accompt be allowed. Sent up for Concurrence.

A Message from the Board by Mr. Secretary *Willard*.

Mr. Speaker, His Excellency expects that Mr. Speaker and this House attend him forthwith in the Council Chamber. Mr. Speaker and the House went up accordingly, and his Excellency made a Speech to the House, advising them to make choice of another Speaker, for reasons He therein offered them. They Return'd to their own Chamber, and after Debate, The Question being put, *Whether the House upon the Reasons assigned by his Excellency, will proceed to the Chioce of a new Speaker?* It pass'd in the Negative, *Nemine Contradicente*.

A Message to Acquaint his Excellency, that the House had passed the said Vote was sent up by Col. *Goffe*, Capt. *Noyes*, Col. *Dudley*, Capt. *Rowse*, Capt. *Throop*, Maj. *Chandler*, Capt. *Whiting*, Capt. *Little* and Mr. *Foster*.

An Accompt of *Ebenezer Allen* Treasurer of *Dukes County*, from *July 6th 1718.* to *March 30th 1720.* Presented to the House for allowance. Read and

Ordered, That the said Accompt be allowed. Sent up for Concurrence.

An Accompt of *Pelataiah Glover* Treasurer of the County of *Hampshire*, for the Year past, allowed in the Court of General Sessions of the Peace for the said County. Presented to the House for Allowance. Read and

Ordered, That the said Accompt be allowed. Sent up for Concurrence.

A Petition of *Isaac Robinson* of *Falmouth* Presented to the House and Read, praying, That he may have leave to purchase of *Sunkason* an Indian, a Neck of Up Land, and Meadow lying in *Mashpa* an Indian Plantation for Reasons therein assigned.

Ordered, That the said Petition be Referred to Consideration at the next Session, when it is expected that the Petitioner lay before the House, the opinion of the Guardians of the Indians of the said Plantation, whether it be convenient that the prayer of the Petition be Granted.

And then the House Adjourn'd till Monday next Four a Clock in the afternoon.

June, 30. Die Marti, 1720.

A Message from the Board by Mr. Secretary *Willard*, That His Excellency Desires this House to attend him forthwith in the Council Chamber.

Mr. Speaker and the House went up accordingly, and his Excellency after a short Speech, Dissolv'd the Court.

B O S T O N : Printed & Sold by *B. Green.* 1720.

JOURNAL

Of the House of Representatives.

At a Great and General Court or Assembly of this His Majesty's Province of the Massachusetts-Bay, in ~~New-England~~, Begun and Held at ~~Boston~~, upon Wednesday the 13th Day of ~~July~~, Anno Domini 1720.

THe Honourable *Penn Townsend*, *Jonathan Belcher*, and *Paul Dudley* Esqrs, and Mr. Secretary *Willard*; came down from the Council Board, and acquainted the House, That they were Appointed and Authorized, by his Excellency the Governour, That this House should take the Oaths, Make and Subscribe the Declaration; Take and Subscribe the Oath of Abjuration (as by the *Royal Charter* of this Province is directed) before them: Which was accordingly done by all the Members present; & then they withdrew. The Names of the Persons returned to Serve for, and Represent their several Towns, are as follows, *Viz.*

Boston, { John Clark, Esq;
Elisha Cooke Esq;
Oliver Noyes Esq;
Mr. William Clark
Roxbury, Wm. Dudley Esq;
Dorchester, Coll. Robert Spur
Milton, Mr. Ephriam Tucker
Brantry, Maj. John Quincey
Weymouth, Mr. John Torrey
Hingham, Mr. Lazarus Beal
Dedham, Mr. Joseph Ellis
Medfield, Mr. Jos Plympton
Menden, Josiah Chapin Esq;
Wrentham, Mr. Eben. Fisher
Woodstock, Maj. J. Chandler
Brooklin, Mr. Josi. Winchester
Oxford, Capt. Richard More
Salem, { Mr. Tim Lindal, *Spea.*
Capt. John Gardner
Ipswich, { J. Wainwright, Esq;
Mr. Nath. Knowlton
Lynn, Mr. Richard Johnson
Newbury, { Col. Hen. Somersby
Capt. Tho. Hale
Marblehead, Mr. Wm. Stacey
Beverly, Capt. Joseph Herrick
Wenham, Mr. John Got
Topsfield, Capt. Tobijah Perkins
Andover, Mr. Neh. Abbot

Cambridge, Mr. And. Boardman
Charlstown, { Mr. Eben. Austin
Capt. Wm. Rowse
Wattertown, Maj. Jonas Bond
Newton, Mr. Ebenazar Stone
Sudbury, Hopestill Brown Esq;
Marlborough, Capt. Peter Rice
Sherbourn, Mr. Eleaz. Holbrook
Lancaster, Mr. Joseph Wilder
Framingham, Mr. Jonath. Rice
Groton, Capt. Jonas Prescott
Concord, Mr. Benj. Whittemore
Clemsford, Mr. Stephen Pierce
Billerica, Oliver Whiting Esq;
Woburn, Mr. Samuel Walker
Reading, Mr. John Brown
Malden, Mr. John Greenland
Lexington, Mr. Fra. Bowman
Weston, Francis Fullam Esq;
Medford, Thomas Tufts Esq;
Stow, Capt. Jacob Stevens
Leicester, John Menzeis Esq;
Springfield, Luke Hitchcock Esq;
N. Hampton, { J. Stoddard Esq;
Capt. Eb. Pumry
Hadley, Mr. John Nash
Hatfield, Mr. John Dickinson
Westfield, Mr. Thomas Noble
Suffield, Mr. John Austin

Bridgewater, Mr. R. Davenport
Rochester, Mr. Sam. Sprague.
Middleborough, Mr. Sam. Barrow
Plympton, Mr. Benoni Lucas
Pembroke, Capt. Tho. Barker
Barnstable, Shubal Gorham Esq;
Sandwich, Maj. Meletiah Bourn
Yarmouth, Mr. Joseph Hall
Eastham, Mr. Samuel Knowls
Harwich, Mr. John Gray
Truro, Mr. Thomas Mulford
Bristol, Capt. Wm. Throop
Taunton, Mr. Robert Crossman
Swanney, Mr. Wm. Salisbury
Rehoboth, Mr. Dan Carpenter
Little-Comt. M. Sil. Richmond
Dighton, Mr. Benja. Crane
Tiverton, Mr. Gerahom Woodel
Attleborough, Mr. Dan Freeman
Norton, Mr. Samuel Hodges
Barrington, Mr. Zach. Bicknell
Dartmouth, Mr. John Aiken
Freetown, Mr. Samuel Forman
York, Mr. Samuel Came
Kittery, Capt. Wm. Pepperell
Berwick, Capt. Elisha Plaisted
Wells, Mr. Francis Sawyer
Falmouth, Samuel Moodey Esq;
Biddeford,

Bradford, Capt. Rich. Kimbal
Haverhill, Mr. John Sanders
Boxford, Mr. Joseph Hale
Rowley, Mr. Timothy Harris
Sailbury, Mr. William True
Amisbury, Capt. John Foot
Gloucester, Mr. James Sayword

Enfield, Capt. Samuel Terry
Deerfield, Mr. Thomas Wells
Brookfield,
Plymouth, Mr. John Foster
Scituate, Mr. Stephen Clap
Marshfield, Isaac Little Esq;
Duxbury, Mr. John Wadsworth

Chilmark, } Pain Mayhew Esq
Tisbury, }
Edgartown, }
Nantucket, Georg Bunker Esq;
[2]

THE House Proceeded to bring in their Written Votes for a Speaker, and Mr. *Timothy Lindall* was Elected by a major part of the Voters, and was accordingly Conducted to the Chair.

The House Proceeded to the Choice of a Clerk by Written Votes, & Mr. *John White* was Chosen by a Major part of the Voters, and was accordingly sent for to the House.

A Message Sent up to the Board, by Major *Chandler*, Capt. *Fullam*, and Capt. *Noyes*, to Report to His Excellency the Governour, the Choice the House had made of a Speaker.

Mr. Justice *Chandler*, Administred the following Oath to the Clerk, in the Presence of the House, *viz.*

YOU do Swear, That you will faithfully Discharge the Office and Duty of Clerk of this House, according to the best of your Skill and Knowledge. So help you God.

The House proceeded to Examine the Returns of the Precepts, from the several Towns of the Choice of Representatives, and Passed through the same.

A Message from the Board by Mr. Secretary *Willard*, *Viz.*

Mr. Speaker,

His Excellency expects that this House forthwith attend him in the Council-Chamber.

Mr. Speaker and the House went up accordingly.

And his Excellency made a Speech to the Court, whereof Mr. Speaker obtained a Copy, and with the House Returned to their own Chamber.

His Excellency's S P E E C H

Is as follows, *Viz.*

Gentlemen,

AS it was with great unwillingness, that I parted with the last General Assembly; so it is with great Satisfaction that I meet this, especially since they have been so Dutiful to His Majesty, and so wise for their Country, as to prevent any Occasion of Differences betwixt His Majesty's Pre-

rogative, and the Liberty of the Subject; to both which, I shall always endeavour to have the utmost regard, being bound by Duty and Inclination so to do.

Having nothing in Command from His Majesty to Communicate to you, I shall recommend those things to your Consideration, which from my own observation, and the best Judgment I can make, I take to be of great Importance to the Province.

And in the first place, The Supporting the Value of the *Publick Bills of Credit*; This is what I have almost at every Session, mentioned as a matter, not only of Justice, but of Interest; and I am more especially obliged to do it now, because the Neighbouring Governments looking upon it as a matter of the last Consequence to us all, have lately appointed Commissioners to Enquire into that Affair, and lay before their respective General Assemblies, what they have thought proper for the Publick Good, with respect to the Publick Bills of Credit: The unanimous Resolution of the Commissioners when they met at *Boston*, I shall Order to be laid before you.

The Confusions that are in the Colony of *South Carolina*, by reason of Paper Credit, may, and I hope will warn us against going further into any *Medium* of that kind; and I am glad to find, that the generality of our thinking People begin to be convinced, that it will be for the Interest of the Country, and [3] even the Trading part, to Call in the Bills as soon as may be conveniently.

I believe it will be of necessity, when the Bills become very scarce, for the Government to think of some reasonable Method, for the Ease of the People, in paying in the Publick Debts; & at the same time, to take great care not to *postpone* them, as we have too often done, to the detriment of the Government, and lessening the Value of the Bills of Credit.

I am very well pleased to observe by all, that have the State of the Country, and our Trade at heart, that good Husbandry and Industry are unanimously agreed on, as among the first and best Expedients, to help us under our great difficulties.

I must acquaint you, that by the observation that I have made of the Detachments that I have sent, for the Interest and Security of the *Eastern Settlements*, that I find your Militia is under no good Regulation, and must to make them useful, be put upon some better Establishment.

By some Letters from the *Indians*, and all Accounts from the *Eastern Parts*, it would be very much for the Interest of the Government, the Security of the New Settlements, and the quieting of the *Indians*, if there were set up among them, in some proper places, and under due Regulations, a few Truck-houses, where the *Indians* might be supplied at reasonable Rates, with what they want, and which as I remember, we are under Obligations to do by our several Treaties; and that also some general Boundaries were agreed on between the *Indians*, and the *English Claimers and Purchasers*.

I am perswaded, that the Affairs which shall come before you this Sessions, will be carried on with that Temper and Unanimity, as will well become you, who have so great a Trust reposed in you, as to be sent Representatives for this Province.

John Burril Esq. Brought down a Letter from Mr. Agent *Dummer*, which he had received, being Directed to him as Speaker of the House of Representatives.

Some Objection being made, and Debate had, Respecting the Election of Mr. *Thomas Wells*, as Representative of the Town of *Deerfield*,

Resolved, That Mr. *Wells* is duly Elected, and ought to Sit as a Member of this House.

Objection being made, that *John Meinzois*, Esq; who is Returned Representative of the Town of *Leicester*, is not duly qualified as the Law Directs for that Service, not being a Resident in the said Town.

Debate being had thereon.

The Question was put, Whether the said Person is duly qualified to Represent the said Town?

It pass'd in the Negative.

The usual Orders of the House Read, and Ordered to be the Rules and Orders of this House during the Session, and Sessions thereof.

Ordered, That Mr. *Whitemore*, Mr *Tucker*, and Mr. *Stone*, be Monitors of the House to take care that the Orders thereof be duly Observed.

His Excellency the Governours Speech Read.

And then the House Adjourned till to Morrow Morning Nine a Clock. [4]

Jobis 14. Die Julii. 1720. A. M.

A Bill Intituled an *Act for Granting to His Majesty, several Rates and Duties of Impost and Tunnage of Shipping.* Read a first time.

Upon a Motion being made, and the Question being put. Whether it is fitting that *Samuel Moody* Esq. Who is return'd Representative of the Town of *Falmouth*, in *Casco-Bay*; and is Commander of the Company of Soldiers in the Eastern Parts and in Actual Pay, should sit as Member of this House?

It Passed in the Negative *Nemine Contradicente*.

Ordered, That a Precept be sent to the Town of *Leicester*, and a Precept to the Town of *Falmouth*. That each of them may Elect and send a Person to Represent them in this House if they see meet.

Mr. Treasurer *Allen* was admitted into the House, and presented his Accounts and the present State of the Treasury was Read, and he withdrew.

Ordered, That *John Clark*, Esq. *Elisha Cooke*, Esq. Mr. *Andrew Boardman*, *John*

Stoddard, Esq. and John Chandler, Esq. Be a Committee to Examine and Audit the said Accounts and make Report to the House.

A Message from his Excellency the Governour by Mr. Secretary *Willard viz. Mr. Speaker.*

His Excellency taking into Consideration, the Season of the Year; and believing it would be Acceptable to the House, to be at their Respective Habitations, sent me to Acquaint you, that when you shall have finish't the matters that are absolutely necessary to be done, he shall be glad to defer the rest to the Fall Sessions.

A Letter from Mr. Agent *Dummer*, Dated *LONDON April, 8th 1720.* Which was brought down Yesterday. Read.

Post Meridiem.

Another Letter from Mr. Agent *Dummer*, Dated the 12th of *April* last, Directed to *Oliver Noyes, William Clark, and Isaiah Tay Esqs.* In Answer to what they Wrote to him by Order of this House, Passed the 30th of *June* last. Read.

A Bill, Intituled, *An Act for Granting to His Majesty, Several Rates and Duties of Impost, and Tonnage of Shipping.*

Read a 2d and 3d time. And Passed to be Engrossed.

Sent up for Concurrence.

William Tailer, and John Cushing, Esqs. Brought down the Report and Journal of the said *William Tailer, William Dudley, and John Stoddard*, Commissioners that were sent by this Court, last Winter to Treat with the Eastern Indians.

Voted, That it be an Instruction to the Comissioner of Impost that shall be Chosen, that he Appoint a Deputy Receiver in the Port of *Kittery*, for the Province of *Maine*.

Samuel Sewall, and Paul Dudley, Esqs. Brought down the Declarations, of two Men, of some very evil Expressions which they heard utter'd by a Member of this House, which were brought before Judge *Dudley* to be Sworn, and he had laid them before his Excellency the Governour and Council, and they sent them down to the House, to have the Consideration of them as he is one of their Members.

A Message from the Board, by *Benjamin Lynde, and Paul Dudley, Esqs.* Proposing an Amendment to the Impost Bill as to the Form thereof. Which they left.

And then the House Adjourned till to Morrow Morning Nine a Clock. [5]

Veneris 15. Die Julii. 1720. A. M.

AN Account of the charge of *Perez Webb* of *Salem* on——— *Hugh* a Stranger newly brought into this Province, and belonging to no Town, that fell Sick and Dyed there, for Diet, Lodging, Medicines and Attendance in his Sickness,

and for his Funeral; Amounting to the Sum of *l. 6—2—0* Certified by the Select Men of the said Town. Presented to the House for Payment.

Resolved, That the Sum of *Six Pounds and Two Shillings*, be Allowed and Paid out of the Publick Treasury to Capt. *John Gardner*, to Discharge the said Account. Sent up for Concurrence.

The Amendment Proposed to the Bill, Intituled an *An Act for Granting to His Majesty, Several Rates and Duties of Impost and Tunage of Shipping*.

Agreed to, and the Bill sent up again.

It being Represented to this House, that there is a Quantity of Gun-Powder belonging to this Province, which it is Prudence to dispose of.

Resolved. That the Treasurer, be and is hereby is Directed and Impowered to Dispose of One Hundred Barrels of Gun-Powder, that belongs to this Province, at the best Rate he can, the Produce thereof to be applied, for and towards calling in part of the *l. 17000.* of Bills of Publick Credit, that are to be called in this Year so so far as that will go. Sent up for Concurrence.

The Memorial of *Zacheriah Tuthill*, Lievtenant and Victualler of His Majesty's Castle *William*, Praying as entered the 28th. of *May* last. Read again, and

Resolved. That *Five Shillings and Six-pence per Man per Week*, be Allowed and Paidout of the Publick Treasury, to Capt. *Zacheriah Tuthill* the Memorialist, for the Victualling of the said Garrison for the Year Current beginning from the Expiration of the last Order of this Court in that affair.

Sent up for Concurrence.

His Excellency the Governours Speech Read again.

Ordered, That Mr. *Cooke*, Col. *Dudley*, Mr. *John Clark*, Maj. *John Chandler*, and Capt. *Gardner*, be a Committee to Consider of his Excellency's Speech, and make Report to the House.

Upon a motion being made. The List of the Sum that each Town of the Province was Rated the last Year, as their Proportion to a *l. 1000.* was Read.

And then the Sum that each Town shall Pay as their Proportion to a *l. 1000.* in the Tax to be Raised this Sessions, was Distinctly and Seperately Voted, the Respective Representatives having first had the Liberty to show the present Circumstances of their Town.

And the whole was Passed through with little variation from what it was the last Year.

The Declarations brought down last Night, concerning one of Members of this House viz. Mr. *Gershom Woodel*, Read again. And the Declarants Mr. *James Blin*, and Mr. *John Staniford*, being Admitted into the House, Spake to and further Explainend their Declarations. And Mr. *John Marrion*, who had heard something of that affair, was admitted into the House and spake to the same.

And then they were directed to withdraw.

It appearing that the Declarants, had something to add to their Declarations.

Ordered. That their Declarations be returned to them, and that they lay before the House a full and clear Declaration of what they know in the affair.

An Engrost Bill Intituled *An Act for Granting to His Majesty, several Rates and Duties of Impost and Tunnage of Shipping.*

Read, &c.

Resolved, That the Bill do Pass to be Enacted. Sent up [6]

Ordered. That *Joseph Parsons*, and *Henry Dwight*, Esqs. Deliver to Mr. *John Dickinson*, such part of the Sum of *l. 15—0—0* that was formerly delivered to them out of the Treasury, to mend the Road between the Towns of *Worcester* and *Brookfield*, as is not Expended by them, to be by him Paid into the Treasurer.

Sent up for Concurrence.

Ordered. That Mr. *William Clark*, Capt. *Throop*, and Cept. *Fullham*, be a Committee to consider how much the Impost, Excise and other Branches of the Province Income may amount to, and Report the same that it may be known how much of the *l. 17000.* to be Paid this Year, is necessary to be Raised on Polls and Estates.

And to Report what Sum they apprehend needful to be Granted for a Supply of the Treasury.

Ordered. That a Message be sent up to the Board by Col. *Dudley*, Col. *Sumersby* and Maj. *Chandler*, That this House propose that the Court Proceed to the Choice of a Treasurer, Attorney General, and Impost Officer, the next Tuesday in the Forenoon.

The Report and Journal of the Honourable *William Tailer*, *William Dudley*, and *John Stoddard*, Esqs. Who were sent by this Court the last Winter, to Treat with the Eastern Indians. Read.

The Honourable *Thomas Westbrook*, Esq. having been present and joined with them in the affair on the Part of the Province of *New-Hampshire*.

Mr. *John Marion*, Mr. *James Blin*, and Mr. *John Staniford*, Attended the House again with their Declarations, under their Hands, Respecting the Dis-course they had with Mr. *Woodel*. Which they left and withdrew.

The said Declarations were Read, and not Denied by Mr. *Woodel*.

And Liberty was given to the said *Woodel* to make his Defence, and Speak in his own Vindication, which he did, and was then Ordered to withdraw.

It Appearing by the said Declarations, which were Acknowledged by Mr. *Woodel*, to be true. That he has Exprest himself with great Enmity to the Ministers of this Province.

Voted, That the said Mr. *Woodel*, be Expelled this House, as not worthy to continue a Member thereof.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Sabbati 16 Die Julii. 1720. A. M.

Ordere*d*, That *Elisha Cooke*, *William Dudley*, and *Oliver Noyes*, Esqs. with such as the Honourable Board shall Appoint, be a Committee forthwith to write a Letter to Mr Agent *Dummer*, Directing him to take due care, and Use his best Endeavours, that no Enchroachment may be made on this Province, by means of any Plat or Representation, that may be made and offered at *White-Hall*, by the Province of *New-Hampshire*.

Sent up for Concurrence.

An Account of *Daniel Russel*, Treasurer of the County of *Middlesex*, from *December*, 1718. to *April* 12. 1720.

Presented to the House for Allowance. Read and

Ordered, That the said Accompt be allowed.

Sent up for Concurrence. [7]

An Accompt of *John Dyer*, Treasurer of the County of *Plymouth*, from *March* 7. 1717, 18, to *May* 1. 1719. being allowed at the Court of General Sessions of the Peace, for the said County.

Presented to the House for Allowance. Read.

An Accompt of *Ebenezer Lewes*, Treasurer of the County of *Barnstable*, from *April*, 1719, to *April* 1720. being allowed at the Court of General Sessions of the Peace, for the said County.

Presented to the House for Allowance. Read and

Ordered, That the said Accompt be Allowed.

Sent up for Concurrence

An Accompt of *Abraham Preble*, Treasurer of the County of *York*, from *April* 9th. 1719. to *April* 5th. 1720. being allowed by the Court of General Sessions of the Peace in the said County.

Presented to the House for Allowance. Read, and

Ordered, That the said Accompt be allowed.

Sent up for Concurrence.

An Accompt of *Ebenezer Allen*, Treasurer of *Dukes* County, from *July* 6. 1718. to *March* 30. 1720.

Presented to the House for Allowance. Read and

Ordered, That the said Accompt be Allowed.

Sent up for Concurrence.

An Accompt of *Pelataiah Glover*, Treasurer of the County of *Hampshire*, for the Year past, allowed in the Court of General Sessions of the Peace, for the said County. Presented to the House for Allowance. Read, and

Ordered. That the said Accompt be allowed.

Sent up for Concurrence.

Ordered. That the Votes of this House be Printed twice a Week, and that

the Representatives of the Town of *Boston* be desired to take care to have it done.

Ordered, That a Precept be sent to the Town of *Tiverton*, to Elect and send a Person to Serve for and Represent them in this House.

A Petition of the Town of *Biddisford*, Presented to the House, and Read.

Praying that they may be Allowed the Sum of *Forty Pounds* for this Year, towards the Maintainance of their Minister, who is also Chaplin to the Fort there.

Resolved, That the Sum of *Forty Pounds*, be allowed and paid out of the Publick Treasury, toward the Support of the Ministry at *Biddisford*.

Sent up for Concurrence.

A Petition of *Anne Taler* of *Boston* Widdow. Presented to the House, and Read.

Praying that the Duty on Two Negro Men, and Two Negro Women and their Five Young Children, her Domestick Servants which She lately Imported with her from *Jamacia*, may be Remitted for Reasons therein Alledg'd.

Resolved, That the Prayer of the Petition be granted.

Sent up for Concurrence. [8]

A Petition of *Peter Rich* of *Wells*, Presented to the House, and Read. Praying Consideration and Allowance towards his Support & Livelyhood, having almost lost the use of one of his Hands, by a Wound received in the Service, by the breaking of his Gun in firing.

Resolved, That the Sum of *Five Pounds per Annum*, be Allowed and Paid out of the Publick Treasury for the Relief of the Petitioner during his natural Life.

Sent up for Concurrence.

Adam Winthrop, and *Edward Hutchinson* Esqs. with Capt. *Gyles*, and some others Inhabitants of the Eastern Parts, were Admitted into the House, and Acquainted them with the Hostile and Insolent Behaviour of the Indians in those Parts, whereby the Inhabitants there have been put into great Terror, and some Families so terified that they have quitted their Settlements and drawn off. And then withdrew.

Mr. Secretary *Willard* brought down a Copy of a Letter to Mr. Agent *Dummer*, Prepared by the Comittee of both Houses appointed for that End.

Being Passed upon in Council, *viz*.

In Council, *July* 16. 1720. Read and Accepted.

Sent down for Concurrence. Read and Concurred. and

Ordered, To be Signed by the Speaker in the Name of the House.

And then the House Adjourned till Monday next, Three a Clock afternoon.

VOTES

Of the House of Representatives.

Junæ 18 Die Julii. 1720. P. M.

MR. *John Greenland* made his Appearance in the House, and made his Excuse for his absence till this time.

Ordered, That his Excuse be Accepted, and he was sent up to the Board to be Qualified, by taking the Oaths &c.

A Report Signed by *Joseph Burnup*, & *Samuel Jones* who with Capt. *John Gardner*, were Appointed in *November* last a Committee, to Discover and Settle the Bounds of Printer *Greens* Farm, was Presented to the House and Read; Shewing that they have Discovered them, and accordingly Described them in their Report, and Capt. *Gardner*, Signified to the House that within the said Bounds were included 358 Acres, whereas the Grant was of 300. only.

Ordered, That the said Report be so far Accepted, as that the Bounds of Printer *Greens* Farm be Allowed and Confirmed to the Assigns of said Printer *Green*, as Described therein.

Provided, They Lay out a convenient High-way through the same to the Province Lands, and Pay the Charge of the Committee that made this Report.

And further Ordered, That Capt. *John Gardner* be Appointed to Lay out to the Heirs of the late Honourable *John Higginson* Esq. So much Land, out of the Province Land adjoining, as he shall find default out of a Tract of Land that was Laid out to the said *Higginson*, by the Accepting and Confirming of this Report.

Sent up for Concurrence.

An Accompt of *Luke Vardy* for Dineing this House, on the last Day of the Election of Councillours, Amounting to *l. 22—18—0*. Presented to the House for Payment.

Resolved, That the Sum of *Twenty Pounds*, be Allowed and Paid out of the Publick Treasury, to *Luke Vardy* the Accomptant, in full of the said Accompt.

Sent up for Concurrence.

A Petition of *Anne Clark* and *Sarah Clark* of *Portsmouth*, Presented to the House and Read, Praying the Law for Quiteting of Possessions, which will take Place the last of this Month, may not Extend to cut them off from their Title to the Estate of *Richard Leader* Deceased, for Reasons therein Assigned. Sent up.

A Petition of *Elizabeth Cordee* Widow, Presented to the House, and Read

Praying, That she may be Enabled by an Act of this Court, to Continue an Action on the Authentick Copy of a Bond, wherein *Anthony Haywood*, Obligated himself &c. to Pay *l. 120*. with Interest to her who was then *Elizabeth Lemmon*, the Original Bond being Taken and Destroyed formerly by a *French Privateer*.

Sent up.

A Petition of *Joseph Crocker*, Presented to the House, and Read.

Praying, That he may be Allowed to Exchange a Tract of Land in *Barnstable*, with the *Indians* there, and that Persons may be Appointed to see that Justice be done to the *Indians*.

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It Passed in the Negative.

A Bill Intituled *An Act for Erecting, Granting and Making a County, in the Inland Parts of the Province, to be called the County of Worcester*, and for Establishing Courts of Justice within the same. Pass'd in Council, to be Engrost and Sent down for Concurrence. Read a first time.

A Bill Intituled *An Act for altering the time for Holding the Superiour Court of Judicature, Court of Assize and General Goal-Delivery, within the County of Essex, Hampshire and York*,

Passed at the Board to be Engrost and Sent down for Concurrence.

Read a first time.

An Accompt of *John Appleton*, Treasurer of the County of *Essex*, from *January*, 5th 1718. to *October*, 1719. having been Allowed by the Court of General Sessions of the Peace for the said County. Presented to the House for Allowance, Read, and

Ordered, That the said Accompt be Allowed.

Sent up for Concurrence.

An Accompt of *Samuel Cheekley* Treasurer of the County of *Suffolk*, from *May* 10th 1719. To *May* 24th 1720. Presented to the House for Allowance, having been Audited by a Committee Appointed by the Court of Genenal Sessions of the Peace in said County.

Resolved, That the said Accompt be Allowed. Sent up for Concurrence.

The Petition of *John Cotton*, of *Newton* Clerk, *Praying*, as Entred the 26th of *May* last, Read again. And

Resolved, That the Prayer of the said Petition be Granted.

Sent up for Concurrence.

Ordered, That Mr. *William Clark*, Maj. *Chandler*, Capt. *Throop*, Capt. *Gardner*, Col. *Somersby*, Maj. *Bond*, Capt. *Rouse*, Capt. *Brown*, Mr. *Foster*, Maj. *Stoddard*, Mr. *Clap*, Capt. *Gorham*, Maj. *Bourn*, Mr. *Croseman*, Capt. *Pepperell*, Mr. *Bunker*, and Mr. *Mayhew*, be a Committee, to go to *Cambridge*, & View the Additional Brick Building at *Harvard-Colledge*, Lately Erected there at the Province Charge, and Report how they find the same Effected.

And to Examine and Audit the Accompts of the Committee that had the care of Building the same, and make Report thereon.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Martii 19. Die Julii. 1720. A. M.

MR. William Clark from the Committee Appointed, Reported, That they had Considered and Computed the Province Income, and are of Opinion, That £. 8000 should be Raised on Polls and Estates this year.

And the Question being put, *Whether the Committee's Report be accepted?*

It Passed in the Negative.

Voted, That Six Thousand Pounds only of the Seventeen Thousand Pounds, Granted in the Year 1714, and 1717. Be Levied and Raised on Polls and Estates.

And that the Duties of Impost and Tonnage of Shipping, and Excise, together with the Income of the Bills lent out; the *Light-House*, &c. be a Fund, and Security for the drawing in of the remaining *Eleven Thousand Pounds*.

Sent up for Concurrence.

A Bill, Entituled, An Act, *For Erecting, Granting and Making a County in the Inland Parts of the Province, to be called the County of Worcester, and for Establishing Courts of Justice within the same.*

Read a second time. And [11]

Ordered, That the further Consideration of the said Bill, be had at the next Sessions.

A Bill, Entituled, An Act, for altering the time for holding the Superiour Court of Judicature, Court of Assize, and General Goal Delivery, within the County of *Essex, Hampshire and York.* Read a Second Time.

Mr. Cooke from the Committee, appointed to Consider his Excellency's Speech, offered a Report in answer thereto, which was Read twice, and accepted, and Ordered to be Sign'd by Mr *Speaker*; and Sent up by Major *Stoddard*, Col. *Somersby*, Capt. *Gorham*, Mr. *Bordman*, and Mr. *Foster*. It is as follows, *Viz.*

May it please your Excellency,

WE His Majesty's most Loyal and Dutiful Subjects, the Representatives of this Province in General Court Assembled; looking at our selves bound in Conscience, to discharge the great Trust reposed in us by the People, whom we Represent, truly acquaint your Excellency, that the last Assembly, took no great pleasure in being Dissolved before they had gone through the usual and necessary business, for which they were called together; especially when we consider the Motives and Reasons that prevailed upon your Excellency, to Dismiss them, even with such Expressions, that tho' it was very irksome and disagreeable to you; but as Matters then stood, was forced to do it, or give up the King's Prerogative. Having now taken it into our serious Consideration, that their Asserting and Maintaining their just Right, and Ancient Priviledge of Chusing their *Speaker*, and not owning your Excellency's Power to Negative him is nothing but what they were strictly obliged to.

And therefore humbly are of Opinion, that whoever was of Advice to your Excellency in that Matter, did not Consult His Majesty's Interest, nor the Publick Weal and Quiet of this Government, but officiously endeavoured to beget unhappy Misunderstandings between your Excellency and that House, and break off that desirable harmony, which every one ought to keep up.

In all Duty and Obedience to His Majesty's Writts; (notwithstanding the pressing Circumstances of the Season) We came chearfully to attend this present Session with full purpose and resolution to behave our selves with such Temper and Unanimity in all our Actions, as justly might be expected from us. Yet cannot but take notice with no little concern, that the reason given for the Satisfaction your Excellency took in Meeting this Assembly is Expressed in the words following, (Especially since they have been so Dutiful to His Majesty, and Wise for their Country, as to prevent any Occasion of Difference betwixt His Majesty's Prerogative, and the Liberty of the Subject) by which you give us to understand, that your Excellency concludes from our proceeding at the Opening of this Sessions, That we are apprehensive, that by the *Royal Charter*, or some other Power, there was a sufficient Authority, Vested in the Governour, to Negative the *Speaker* of that House. We therefore take this opportunity to assure your Excellency, that this House are very far from giving into the belief of any such thing, being fully of the same mind with the last Assembly; do entirely Agree and Declare, according to the best Views we are capable of taking; That it is the undoubted Right of the Representatives only, to concern themselves in the Election and Constitution of a *Speaker*.

And earnestly hope and desire this Province may never have an Assembly, that will willingly forego such a valuable Priviledge, which their Late Majesty's King *William & Queen Mary*, of blessed Memory, graciously favoured this Province with, when they Passed their Royal Assent to a Law made by this Government, Directing and Governing that Affair. [12]

We cannot therefore but look upon it somewhat strange, that any Endeavours should be enforced to Deprive this People the Enjoyment of a Right so near to them, which they have for so long a time been in the Improvment of.

We are truly Sensible of the Great Felicity this Province in Particular Enjoys, by reason of the many Priviledges and Liberties we hold, under the Most Auspicious Reign of His Majesty King *George*. That we should be wanting to our own Intrest as well as to the Duty we Owe to His Majesty, did we not at all proper Seasons readily discover our utter unwillingness to encourage the least Efforts to Lessen His Majesty's Prerogative; And did not always unanimously and Chearfully Oppose the Attempts of all that should in the least wise offer at the Effecting thereof: And yet we would (all Dutifull Regard being had toward His Majesty) humbly presume that it is no ways displeasing to His Most Sacred Majesty, that His Faithfull and Loyal Subjects Use, Exercise and Enjoy, all

and every the Rights, Priveldges and Liberties they Claim and Hold from and under Him.

It is a great pleasure and Satisfaction to us, that your Excellency, at several Successive Sessions put us in mind of Supporting the Value of the Publick Bills of Credit, and if what the Commissioners from the Neighbouring Colonies have agreed on may be a means to lead us into any likely Method to perfect so general a Good to *the* several Governments, our time here will be well Spent, If thereby in some measure we can avoid the Hardships and vast Inconveniencies that have attended some others, by going too far into a Medium of Paper Credit.

We are humbly of Opinion that if the Court would now before the Bills have done their work, find out some other way of Discharging the Pbulick Debts, by allowing the People to bring into the Treasury, such of the Growth of this Province, as may be agreed upon to be most beneficial, it might be a great ease to the Inhabitants, and prevent much oppresion from private Persons.

Is also behoves this Government, that the Funds on which the Bills of Credit had their Emission, should be carefully and seasonably Answered, least for want thereof, those Bills that are still out-standing fall lower in Value.

And should we now Resolve to Set upon good Husbandry and Industry, it would needs tend very much to Extricate this, People out of their many Difficulties they at present Labour under.

If the Militia for want of some good and wholesome Laws, is in a great measure, rendrered ineffectual, whenever any Laws or Orders, for the better Regulation thereof, shall be projected and laid before the House, they will have their due Consideration, and meet with a ready Compliance, if accommodated for the Service of the Forces, that from time to time may be sent out in Defence of the Country.

The Setting up of Truck-Houses, for quieting of the *Indians*, and securing of the New Settlements, if any such should be thought requisite, unless they be put under better Regulation than any heretofore have been, we fear they will occasion the Feuds and Animosities among the *Indians*, as they formerly did. The *Indians* being naturally so jealous and mistrustful, can't endure to have their Trade strictly confined.

And may it please your Excellency, We do suppose that in the former Treaties with those *Indians*; Boundaries were stipulated, and agreed upon between this Government and them, and at several subsequent Treaties in a most solemn manner, confirmed; That should the Government break through them, we shall not know where to stop.

But would at all times take special care, *that the Indians* be not in the least measure molested or interrupted in the peaceable Improving all the Lands that of Right belong to them.

Timothy Lindal Speaker.

A Message to the Board, by Capt. *Gardner*, and Mr. *Davenport*, That the House are ready to proceed to the Choice of a Treasurer, Impost Officer, and Attorney General, if the Council are.

Who Returned, that the Board would send down answer. [13]

A Message from the Board, by *Penn Townsend*, Esq; That they are now ready to proceed to the Choice of the said Officers.

The House brought in their Votes for a Treasurer

Ordered, That Capt. *Noyes*, Major *Chandler*, and Major *Stoddard*, be a Committee, to carry up the said Votes, and assist in sorting and numbering them with the Votes of the Board, and Report the Choice that shall be made.

Who carried up the said Votes, & Reported, That Mr. *Jeremiah Allen*, was Chosen by a major part of the Voters.

The House proceeded to bring in their Votes for an Impost Officer.

Which were Carried up by the said Committee; and they reported, that Mr. *Daniel Russel* was Chosen by a major part of the Voters.

The House brought in their Votes for an Attorney General, which were Carried up by the said Committee.

And they Reported, That *Thomas Newton*, Esq; was Chosen by a major part of the Voters.

A Bill Intituled, *An Act, For Altering the Time for Holding the Superiour Court of Judicature, Court of Assize, and General Goal Delivery, within the County of Essex, Hampshire and York.* Read a Third time, and

Passed a Concurrence, that the Bill be Ingrost.

A Message from the Board by Mr. Secretary *Willard*. Viz.

Mr. *Speaker*,

His Excellency and the Board have Ordered me to lay before this Honourable House, a Memorial the Governour has Received from a Chief of the *Penobscut Indians*, He finds him, and the two *Indians* with him very well affected, and therefore Recommends it to this Honourable House, that some small Present be made them, and that they may be soon Dispatched.

The said Memorial Read.

And the Question being put, whether any thing be given out of the Publick Treasury to the said *Indians*? It Passed in the Negative.

It appearing to this House, that the Office of *Notary Publick*, is not among those, that are Enumerated in the Royal Charter of this Province, as reserved to be otherwise Appointed.

Voted, That a Sufficient Number of suitable Persons in proper Places, to Discharge the said Office be Elected by this Court, viz. 2. at *Boston*, 1. at *Salem*, 1. at *Plymouth*, 1. at *Newbury*, 1. at *Bristol*, and 1. at *Kittery*, and that the choice be made on Thursday next afternoon.

Sent up for Concurrence, by Mr. *John Clark*, Mr. *Cooke*, Capt. *Gardner*, Col. *Somersby*, Capt. *Throop*, Mr. *Foster*, and Capt. *Pepperell*.

Post Meridiem.

Capt. *Chapin* made his appearance, and his Excuse for his Absence till this time, which was Accepted by the House, and he was sent up to be Qualified, by taking the Oaths, &c. [14]

A Letter Signed, *Adam Winthrop*, *Edward Hutchinson*, and *John Ruck*, Directed to Mr. *Speaker*, and Dated *Boston July 15th 1720*. Read,

Shewing that there have been frequent Depredations Committed upon the Inhabitants about *Merry-Meeting*, and *Sagadehoc* River by the *Indians*, who by their manacing words and actions, have so terrified several Families, that they have forsook their Habitations, & the rest are likely soon to follow them if not Protected.

Voted, That the Number of Fifty Men be continued in the Publick Pay, for the Protection of the Eastern Frontiers, until the 20th Day of *November* next.

And that his Excellency be Requested to Order Twenty of them, to be plac'd at *Thawit's Point* in *Kennebeck* River, a place Represented most advantageous to Encourage and Cover the Eastern Settlements, the Proprietors to provide them convenient Lodging. Sent up for Concurrence.

An Ingrost Bill Intituled, *An Act for Altering the time for holding the Superiour Court of Judicature, Court of Assize and General Goal Delivery, within the County of Essex, Hampshire and York*. Read, and

Resolved, That the Bill do Pass to be Enacted.

Samuel Sewall, *John Chushing*, *Edmond Quincey*, and *John Burril*. Esq. Brought down a Report of the Commissioners from this Government, and the Government of *Connecticut*, *New-hampshire*, and *Rhode-Island*, who met this Spring, to Consult what may be done for the Publick Benefit with Relation to the Bills of Credit. Which was Read.

Ordered, That Maj. *Stoddard*, Mr. *Cooke*, Mr. *William Clark*, Maj. *Quincey*, Maj. *Bourn*, Capt. *Throop*, and Col. *Dudley*, be a Committee to consider of, and Propose Ways and Means whereby the Value of the Bills of Publick Credit, may be best Advanced and Supported.

And such Methods as they think may be Serviceable to Facilitate the Paying in the Sum that shall be Granted this Session, for the Supply of the Treasury.

A Petition of *Ephraim Tucker*, *Jonathan Gulliver*, and *Manasseh Tucker*, a Committee Appointed by the Inhabitants of the Town of *Milton*.

Presented to the House, and Read.

Praying, That a Committee may be Sent to the said Town, to Determine the

250 Journal of the House of Representatives

Place where a New Meeting House shall be Erected, which they have Voted to have done, But cannot Agree upon the Placing it.

Ordered, That the Prayer of the Petition be Granted, and that *John Clark Esq.* & *Maj. Jonas Bond*, with such as the Honourable Board shall Appoint, be a Committee to perform that Service, and make Report to the Court, the Town to bear the Charge of the Committee. Sent up for Concurrence.

And Then the House Adjourned till to Morrow Morning Nine a Clock. [15]

Mercurii 20. Die Julii 1720. A. M.

AN Accompt of *Nathaniel Paine*, Treasurer of the County of *Bristol*, from *July 12. 1719. to May 10th. 1720.* Having been allowed by the Court of General Sessions of the Peace, for the said County.

Presented to the House for Allowance. Read, and

Ordered, That the said Accompt be Allowed. Sent up for Concurrence.

A Report Signed by *Samuel Thaxter*, and *William Dudley*, who with *William Basset Esqs*; were appointed by this Court a Committee, to Inquire into, Run and Settle the Line or Bounds of *Wrentham* and *Attleborough*, from Angle-Tree to *Pautucket-River*, shewing their Proceedings therein. Read.

A Petition of *David Freeman*, Representative of the Town of *Attleborough*, in behalf of the said Town. Presented to the House and Read, objecting against the Settlement of the said Line, according to the said Report; and Praying, That a Hearing may be Granted thereon, before any further Proceedings are made in the Affair.

Resolved, That the said Report be accepted, and that the Line be Settled and Established accordingly. Sent up for Concurrence.

Resolved, That the Sum of *Four Pounds*, and *Fifteen Shillings*, be allowed, and paid out of the Publick Treasury, to the said Committee, to defray their Charge.

Sent up for Concurrence.

Major Stoddard from the Committee, appointed to project Methods, to facilitate the Payment of the Sum that shall be Granted this Session, for Supply of the Treasury; offered a Report, which was Read and Accepted by the House.

A Bill Intituled, *An Act, To Impower Proprietors of Common Land, to oblige their Associates to pay their Proportion of Charges and Disbursements, referring to the Propriety.* Having been Pass'd at the Board to be Engrost.

Sent down for Concurrence. Read.

A Report of *Samuel Thaxter*, and *William Dudley*, a Committee appointed by this Court, to view the Bounds of *Peregrine White's Farm*, of 200 Acres, near *Bridgewater*, & Report, what Province Land is near that place. Presented to the House, and Read, shewing that they Measured the said Farm, and find it to Con-

tain upwards of 600 Acres; that the Assigns of said *White*, pretend to Claim 700 Acres more adjoining.

Ordered, That the Assignees of the said *Peregrine White*, and the Inhabitants of the Town of *Braintry*, that may be concerned therein, may be heard upon this Report, before this Court proceed thereon, if they see meet, on the second *Wednesday* of the next Session.

Resolved, That the Sum of *Four Pounds* be allowed and Paid out of the Publick Treasury, to the said Committee to Defray their Charge.

Sent up for Concurrence.

A Report of *William Clark*, *Jeremiah Allen*, and *John White*, respecting the Accompt of the Commissioners for the *l. 100000* Loan, which was offered to the House, the 28th of *May* last, Read again.

A Petition of *Simon Ephraim*, and five others, *Indians* of *Natick*. Presented to the House, and Read, complaining that *Henry Lealand*, has for some Years Encroacht upon their Lands; praying this Court to take care of them, and do them Justice.

Ordered, That the said Petition be Referred to the next Session for Consideration.

A Petition of *Thomas Prentice*, and *Thomas Learned*. Presented to the House, and Read; shewing, That they were Employ'd to Build a Cart-Bridge over *Charles-River*, in *Watertown*, wherein they have Laid out *l. 150* more than they can demand of the [16] Towns with whom they bargained to do it; praying this Court to Grant some Allowance, towards the Charge of the said Bridge, being of great use and benefit to many Towns in the Province.

Ordered, That the said Petition be Referred to the next Session of this Court, for further Consideration.

Mr. *Cooke* from the Committee, appointed to Audit the Treasurers Accompts, Reported, that they had attended that Service, and find them right cast, and well avouch't in every Article; but that they find some considerable Sums expended on occasion of Publick Rejoycings, which they think not proper to be paid out of the Treasury.

Ordered, That a Message be sent up to his Excellency the Governour, and the Honourable Council. That considering the low Circumstances of the Province, this House desire, that no Draught be made on the Treasury, for Expences at times of Publick Rejoycings for the future.

Sent up by Capt. *Gardner*, Mr *Wainwright*, and Capt. *Throop*.

The Accompts of *Jeremiah Allen*, Esq. Treasurer and Receiver General of the Province of the *Massachusetts-Bay* in *New-England*, Beginning the 30th of *May*, 1719. And Continued unto the 31st of *May*, 1720. amounting to the Sum of *Forty Six Thousand, Seven Hundred and Ten Pounds, Fifteen Shillings, and Nine-pence*, having been presented, and laid before the House of Representatives, and In-

spected by the said House; by which it appears, there was standing out on the 31st Day of May, 1720. *Eighteen Hundred, and One Pound, Three Shillings, and Eight-pence* of the Taxes. *Seventeen Thousand, Nine Hundred, Seventy Six Pounds, Nineteen Shillings and Eleven-Pence*, neat Province Bills, and *Four Thousand, Two Hundred, Seventy Eight Pounds, Five Shillings, and Five-pence*, with the *Five per Cent.* advance thereon in the Treasury; and further to be Accompted for.

Voted, That the said Accompts in the several Articles of Receipts and Payments therein mentioned, amounting to the Sum of *Twenty Two Thousand, Six Hundred, Fifty Four Pounds, Six Shillings and Nine Pence*, be, and hereby are allowed of, & the said Treasurer, is hereby Discharged of the said Sum of *Twenty Two Thousand Six Hundred, Fifty four Pounds, Six Shillings, and Nine-pence*. Sent up for Concurrence.

Samuel Sewall, Addington Davenport, Thomas Hutchinson, & Thomas Fitch Esqs. Brought down the Vote of this House, for Raising *l. 6000.* only by a Tax. With the following Message. *Viz.*

The Board Propose that the *l. 17000.* to be drawn in this Year, may be Levied by a Tax upon Polls and Estates, according to the Promise and Engagement of the General Assembly, in the Years 1714, and 1717. That so the Incomes arising by the Duties of Impost and Excise, and other ways may be Received in; and so the Sum Total ascertained, before they come to be reckoned as a part of what shall be Raised, which may by this means, every succeeding year be accounted part of what is to be Raised; and thereby equally ease the Tax, and better support the Honour of the Government.

Ordered, That a Message be sent up to the Honourable Board, That this House have Considered, and weighed their Message, respecting the Tax, to be Rais'd this Session, and find no reason to recede from; or alter their Vote in that matter. Sent up by Capt. *Noyes*, Mr. *Cooke*, Major *Stoddard*, Capt. *Throop*, and Mr. *Stacey*.

For the Expediting of the present Session.

Ordered, That the Petitions that stand referred to this Session, be referred to further Consideration at the next Session of this Court.

P. M.

A Bill Entituled; An Act, To Enable the late Constables of the Town of *Weymouth*, to recover the Publick Dues from the Inhabitants of the said Town, who refuse to pay their Taxes, by reason the Select-men, who were Assessors of the said Town for time past, have omitted and neglected to take the Assessors Oath.

Read a first time.

A Petition of *Nathan Wickit*, & six others, *Indians of Barnstable*, Presented to the House, and Read.

Journal of the House of Representatives 253

Praying, That they may have leave, to Sell an Island belonging to them, called *Oyster Island*, for Reasons therein mentioned.

Edward Bromfield, Esq; brought down the Vote of this House, for Raising *Six Thousand Pounds*, only of *l. 17000* on Polls and Estates. Concurr'd in Council.

Upon a Motion being made, the House had a large Debate on Methods, for facilitating the Payment of Publick Taxes.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Boston in ~~New~~ **England**, Printed by **Rich. Boone**, Printer to the Honourable
House of ~~Representatives~~. 1720. [17]

V O T E S

of the House of Representatives.

Febris 21. Die Julii 1720. A. M.

RESOLVED, That the Treasurer be, and hereby is Directed to issue forth, and Emit the Sum of *Five Thousand Pounds*, of the Bills of Publick Credit, that are, or shall be received into the Treasury: For payment of the Publick Debts of the Province already Contracted, for the Defence and Support of the Government, and the necessary Protection and Preservation of the Inhabitants of this Province, and for the Forts and Garisons, and Wages arising for their Service; for payment of Grants, Salaries and Allowances, made, or to be made by this Court, according to such Draughts, as from time to time shall be made upon him by Warrant or Order of the Governour, or Commander in Chief, for the time being, by and with the Advice and Consent of the Council: And the said Bills shall pass out of the Treasury, at the Value therein Expressed, equivalent to Money, and shall be so taken and accepted in all Publick Payments.

And as a Fund and Security for the same there be, and hereby is Granted unto His Most Excellent Majesty, to the Ends and Uses as aforesaid, a Tax of *Five Thousand Pounds*, to be Levied on Polls and Estates, both real and personal, within this Province, according to such Rules, and in such proportion upon the several Towns and Districts within the same, as shall be Agreed and Ordered by the Great and General Court or Assembly of this Province, at their Sessions in *May, 1724*. And paid into the Treasury, on or before the last Day of *December* next after.

And whereas through the scarcity of Bills of Publick Credit, it grows difficult for Persons to convert the Produce of their Lands, and other Effects, into Bills, and to Pay their Rates in them.

It is further Ordered, That the Inhabitants of this Province, shall have liberty, (if they see fit) to pay the several Sums that shall be on them respectively assessed in the several Species here-after mentioned, at such Rates and Prices, as the General Assembly shall set them. *Viz.* In good Barrel Beef or Pork, or in Wheat, Pease, Barley, Rye, Indian Corn, Oats, Flax, Hemp, Bees-wax, Butter in Ferkins, Cheese, Hides, Tann'd Leather, Dry Fish, Mackeril in Barrels, Oyl, Whale-bone, Bay-berry Wax, or Tallow. Which Species shall be received by the Treasurer, of the several Constables or Collectors, and be by him Disposed of to the best advantage, for the Calling in of the said Bills, into the Treasury; and if any Loss by the Sale of the aforesaid Species, or by any other unforeseen accident shall arise; then such Deficiencies shall be made good by a Tax of the year next

following; so as fully and effectally to Call in the whole of the said Sum of *Five Thousand Pounds* of Bills Emittid as aforesaid.

Sent up for Concurrence.

A Memorial of *William Dudley*, for, and in behalf of the Town of *Leicester*, Presented to the House and Read. *Praying* this Court to Confirm and Ratify a Vote of the said Town, for Raising a Tax towards Building a Meeting-House, and Defraying other Town Charges, which Vote is therein expressed.

Ordered, That the Prayer of the Petition be Granted.

Sent up for Concurrence. [18]

Sundry Papers that were sent down from the Board yesterday. Read. *Viz.*

A Petition from Nine Principal *Indians*, belonging to *Kennebeck* and *Norridgeway*, Requesting, That Boundaries may be stated and fixt, between the *English* and them; and that a Trading-House may be furnisht and kept near them for their Supply.

A Letter, giving Account of Abuses done to the *Indians* by some *English* Selling Rum to them; and their injuring them in their Trade, and of the Satisfaction that had been made them.

And a Letter from *George Town*, advising, that the *Indians* are very surly, and threaten to drive the *English* Inhabitants there from their Settlements, burn their Houses, and kill their Creatures; and that several are Removing, apprehending their Lives in hazard.

A Message from the Board, by *William Tailer*, and *Thomas Fitch*, Esqrs. *Viz.*

Mr. *Speaker*, The Board are of Opinion, That it would be to the Honour & Service of the Government, and the Advantage of the *Eastern* Settlements, if the *Indians*, that are now in Town, from *Penobscut*, be Encouraged with a small Present; especially since the Commissioners that were at the *Eastward* last Winter, assured them of the Favour of this Government.

Upon further Consideration, and Representation, That the *Indians* proposed to have a Present made to them, are *Penobscut Indians*, who have distinguisht themselves of late years by a more dutiful and peaceable Behaviour.

Resolved, That some Presents be made to them, to the Value of *Ten Pounds*, and be paid for out of the Publick Treasury. Sent up for Concurrence.

The Vote of this House, passed the 19th Currant, respecting Publick Notaries. Sent down from the Board. Passed on there, *Viz.* In Council, *July 20. 1720.* Read and *Voted*, That the Consideration of the Matter of Publick Notaries be referred to the Session of this Court, in Autumn next. Sent down for Concurrence, Read and Non-Concurred; and the said Vote sent up again by Capt. *Noyes*.

A Bill Intituled, An Act, *To Enable the late Constables of the Town of Weymouth, to Recover, &c.* (as afore entered yesterday.

Read a 2d. time, and 3d, and Passed to be Engrost.

Sent up for Concurrence.

256 Journal of the House of Representatives

The Petition of the Eastern *Indians* that was Read this Morning, further Considered, And.

Ordered, That the said Petition be Referred to the next Session for further Consideration.

A Petition of *Richard More*, Representative of the Town of *Oxford*, in behalf of the said Town, Presented to the House and Read

Praying, That the Lands in the said Town belonging to Non-Resident Proprietors, may be Taxed towards the Maintainance of the Ministry there.

In answer to said Petition.

Ordered, That the Select-men or Assessors of the said Town of *Oxford*, Be and hereby are Impowered, to Levy a Tax upon the Lands of the Non-Resident Proprietors therein, after the Rate of *Twenty Shillings per Annum* on each Thousand Acres, during the whole Term of Three Years next after this present Session, to be Employed for and toward the Maintenance of a Pious and Orthodox Ministry among them, and for no other Use. Sent up for Concurrence.

A Memorial Signed *William Tailer*, in behalf of the Committee Appointed to Lay out Two Towns to the Westward of *Grotton*, Presented to the House and Read, Shewing that when an Additional Tract of Land was added, some time since Granted [19] to the Town of *Lancaster*; They Run a line in a wrong Course in the Laying of it out, which is Prejudicial and Ruinous to one of the said designed Townships.

A Message sent up to the Board to inquire, whether they have done any thing further on the Vote of this House, Respecting Publick Notaries, And to acquaint them if they have not, that the House Proposed that the Choice be deferred till to Morrow, in hopes that the Honourable Board will then join with them in it.

A Bill Intituled, *An Act for Apportioning & Assessing & Paying a Tax of Six Thousand Pounds Seventeen Shillings and Three-pence, upon Polls and Estates.*

Read a first time.

Ordered, That Col. *Dudley*, Maj. *Chandler*, and Maj. *Stoddard*, be a Committee to Examine, whether any Acts are Expired or near Expiring, that ought to be Revived or further Continued, and make Report to the House.

A Bill Intituled *An Act to Regulate the Price and Assize of Bread*, having been Passed at the Board to be Engrost.

Sent down for Concurrence.

Read a first time.

John Chushing, and *Thomas Fitch*, Esqs Brought down the following Vote from the Board, viz. In Council July 21th 1720. Voted, That *Samuel Sewall*, *Pen Townsend*, *Samuel Brown*, and *John Burrel*, Esqs Be a Committee to join with such as the Honourable House of Representatives shall Appoint, to Consider what may be Just and Reasonable to be done with Respect to the Boundaires between the *English* Settlements and Proprietors at the Eastward, and the *Indians*. And the Providing and Regulating Truck-Houses, or other Methods for

the necessary and better Supply of the *Indians*, that so on the one Hand no Injustice may be done to the *Indians*, or any just cause given them of Complaint, and on the other Hand all His Majesties People, that have Settled there with the leave, under the Direction of the Government, may be Protected and Encouraged, and their Peace & Prosperity Promoted, and make Report to this Court as soon as may be. Sent down for Concurrence.

And then the House Adjourned till to Morrow Morning Nine a Clock

Generis 22. Die Julii. 1720. A. M.

A Bill Entituled, An Act, *To Regulate the Price and Assize of Bread*, Read a 2d time.

A Bill Intituled, *An Act, to Impower Proprietors of common Lands, To oblige their Associates to pay their Proportion of Charges and Disbursements, referring to the Propriety.* Read a 2d time.

A Bill Intituled, An Act, *For Apportioning and Assessing a Tax of Six Thousand Pounds, Seventeen Shillings, and Three-pence, upon Polls and Estates.* Read a 2d time. And Pass'd to be Engrost. Sent up for Concurrence.

The following Vote sent down from the Board last night, on the Vote of the House, respecting Publick Notaries. *Viz.*

Voted, That the Board insist on their Vote, for deferring the Consideration of the Choice of Publick Notaries till the Fall Sessions, it being a matter of Consequence, and the Method Proposed for Chusing being in a different way from what has been Practised, ever since the Arrival of the present Charter. [20]

Voted, That the Choice of Publick Notaries, be proceeded to this Day, Afternoon. Sent up for Concurrence.

With a Message, That if the Honourable Board will join in the Choice, The House will Accept it kindly, otherwise they shall proceed to the Choice themselves.

Sent up by Mr. *William Clark*, Capt. *Rouse*, Mr. *Crossman*, and Mr. *Foster*.

The Vote of the Board entered Yesterday for a Committee of both Houses to consider what is Reasonable to be done with respect to the settling of Boundaries between the *English* and *Indians*, &c. Read again, &

Voted, A Non-Concurrence *Nemine Contradicente*.

Sent up by Mr. *Austin*, with a Message, that the House had Yesterday referred the Consideration of that matter to the Fall Session, before they received the said Vote.

Samuel Sewall, and *Addington Davenport*, Esqrs. Brought down an Instrument, whereby the Agents for *Chebacco*, and the *Hamlet* Precincts, Refer the Determination of their Difference relating to *Knights Farm*, *Knolton* and *Buckman* to which Precinct they shall belong, to the Honourable *Samuel Sewall*. *Addington*

Davenport, and *John Clark* Esqrs. With the Determination of the said Committee thereon. Passed on in Council, *July 22. 1720.*

Voted, That the Report and Determination, of *Samuel Sewall*, *Addington Davenport*, and *John Clark* Esqrs. On the Affairs of *Knowlton* and *Buckman*, be, and hereby is Accepted, Ratified and Confirmed.

Sent down for Concurrence. Read and Concurred.

Post Meridiem.

THE Memorial of the Committee for laying out two Towns *Westward of Groton*. Read again, and Pass'd on as follows. *Viz.*

This House having Information, that Messieurs *Jonathan Prescott*, *Samuel Jones*, and *John Farnsworth*, a Committee formerly improved by this Court, to View a Tract of Land, petitioned for by the Town of *Lancaster*, and make Report: And who did Report the Bounds for a Tract of Land, to be Granted to the said Towns, but did not mark out the Lines of the said Tract, but only assigned the Points of the Compass, whereby to mark them out; which the Town of *Lancaster* have since done, and have not duly followed the Directions of the said Committee's Report.

Ordered, That Capt. *Peter Rice*, Capt. *Jonas Prescott*, and Mr. *William Ward*, be a Committee, to Run and Mark the Lines and Bounds of that late Grant to *Lancaster*, pursuant to the Directions, in the Report of the said Committee, and make Report of their Doings to this Court, at their next Sessions; the Surveyor, and Chain-men which shall be Impowered to be under Oath; the Charge of the Committee, and Survey, to be paid as shall be Directed by this Court, when the Report is made. Sent up for Concurrence. [21]

The Vote of this House, Pass'd the 19th Currant, appointing a Committee, for the Placing of the Meeting-House at *Milton*, brought down from the Board. Passed on there, *Viz.*

In Council, *July 19.* Read and Concurred.

And the Honourable *Penn Townsend*, and *Thomas Fitch*, Esqrs. be joined in the Affair.

Ordered, That Mr. *Andrew Bordman*, be added to the said Committee.

Sent up for Concurrence.

The Vote of this House, for the Chusing of Publick Notaries, brought down from the Board. Pass'd on there, *Viz.* Read and Non-Concurr'd, and *Voted*, That the Board do adhere to their Vote past yesterday, for the reasons therein mentioned. Sent down for Concurrence. Read and Non-Concurred.

The Honourable Board having Refused at this time to Join with this House in the Choice of Publick Notaries, whom to Chuse is the undoubted Right of this Court.

And it being the particular Care of this House, to preserve the Liberties and Priviledges of this Province.

Ordered, That this House do now Proceed to prepare and bring in their Votes, for Publick Notaries, pursuant to their Vote, the 19th Currant, as to their Place and Number.

The House prepared their Votes for two Publick Notaries in the Town of *Boston*.

Ordered, That Major *Chandler*, Mr. *William Clark*, & Major *Stoddard*, Carry up the said Votes, and make a further Tender to the Honourable Board, to joyn in the said Choice.

Who Returned, that the Board did not see cause to joyn therein.

The said Votes of the House were Examined, and it was found, That Mr. *Joseph Hiller*, and Mr. *Samuel Tyley*, were Chosen by a Major part of the Voters. And the following Persons were separately Chosen by a major part of the Voters, *Viz.*

Timothy Lindal, Esq; for *Salem*.

Capt. *John Dyer* for *Plymouth*.

Mr. *Stephen Jaques*, junior, for *Newbury*.

Capt. *William Throop*, for *Bristol*.

Capt. *William Pepperel*, for *Kittery*.

Samuel Sewall, and *Thomas Fitch*, Esqrs. Brought down the following Vote, *Viz.* In Council, *July 20. 1720.*

Voted, That *Samuel Sewall*, *Penn Townsend*, *Samuel Brown*, and *John Burrill*, Esqrs. Be a Committee, to joyn with such as the Honourable House of Representatives shall appoint, to consider what may be just and reasonable to be done, with respect to the Settling or Determining of Boundaries, between the *English Settlements* or proprietors at the *Eastward*, and the *Kennebeck Indians*, and make Report to this Court, as soon as may be.

Sent down for Concurrence. Read and Non-Concurr'd.

Ordered, That a Message be sent up to the Board, desiring that the Business of the Court may be forwarded, so that the Court may Rise to Morrow if it may be.

Sent up by Capt. *Fullham*, Maj. *Chandler*, Capt. *Gardner*, and Capt. *Throop*.

A Petition of *Mercy Veering*, Widow Relict of *John Veering*, late of *Boston*, Sail-maker Deceased, *Thomas Veering*, Mariner, and *Mary Buckley*, Widdow, the only Surviving [22] Children of said *John Veering*, Deceased, Praying, that they may be Impowered, to Sell or Mortgage a House and Land in *Boston*, about *l. 100.* Value, which belongs to the said *Mercy Veering*, during Life, and to the other Petitioners after her Decease, for the present relief of the said *Mercy*, now very Ancient, and in want.

Sent down from the Board, Passed on there, *viz.* In Council *July 19. 1720.*

Read, and

Ordered, That the Prayer of this Petition be so far Granted, That the Petitioners, by and with the Approbation of Deacon *John Marion*, Deacon *Samuel Marshall*, and Deacon *Edward Procter*, be and are hereby Impowered to make Sale of the said House and Land, one Third part & Proportion of the Money or Produce of the Sale of the said House & Land, being Reserved for the Use of the Children of *John Veering* Deceased, & applied to & for their Use; the other two Thirds, to be disposed of, and divided between the Widow and the other two Petitioners, either as they shall agree among themselves, or as the Trustees before-named shall Judge reasonable.

Sent down for Concurrence. Read and Concurred.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Sabbati 23. Die Julii. 1720. A. M.

THE Accompts of *Addington Davenport*, *Thomas Hutchinson*, *John White*, and *Edward Hutchinson*, Trustees for the *l. 50000* Loan of Province Bills, having been Laid before the House, and inspected; whereby it appears, that since the first day of *June*, 1719. They have Received and paid into the Treasury, the Sum of *l. 10657,—3—2—* of the Principal, and *l. 1803—1—4—* Interest.

Resolved, That the said Accompts be Accepted and Approved; and that the Trustees the Accomptants, be Discharged accordingly.

Sent up for Concurrence.

An Engrost Bill, Intituled, An Act, *To Enable the late Constables of the Town of Weymouth, to Recover the Publick Dues, from the Inhabitants of the said Town, who refuse to Pay their Taxes, by reason the Select-men, who were Assessors of the said Town for time past, have omitted and neglected to make the Assessors Oath.* Read & *Resolved*, That the Bill do Pass to be Enacted.

The Petition of *Elizabeth Carder*, Praying as Entered, *July 18. 1720.* Sent down from the Board, Pass'd on there, *Viz.* Read, and *Ordered*, That the Petitioner be Enabled to Commence an Action on an authentick Copy of her Bond from the Court Records; And that she have Leave to bring in a Bill accordingly.

Sent down for Concurrence. Read and Concurr'd.

Resolved, That *Ten Shillings per Diem* be allowed and Paid out of the Publick Treasury, to each of the Honourable Commissioners that were sent the last Winter to Treat with the Eastern *Indians*, for the time they were on that Service. *viz.* The Honourable *William Tailer*, *William Dudley*, and *John Stoddard*, Esqrs.

Sent up for Concurrence.

An Accompt of the Honourable *Nathaniel Byfield*, *Nathaniel Pain*, and *Samuel Thaxter*, Esqrs. Their Charge in Performing the Service of Reviewing the Ancient

Line, between this Province, & the Government of *Rhode-Island*, to which they were Appointed by this Court. [23]

Resolved, That the Sum of *Thirteen Pounds Eight Shillings and Five-pence*, be Allowed & Paid out of the Publick Treasury, to the said Committee, to discharge the said Accompt. Sent up for Concurrence.

Voted, That an Amendment be made to the Vote of this House, passed the 19th Currant, for Fifty Men to be Continued in the Pay, at the *Eastward*, &c. *Viz.* instead (of 20 of them to be plac'd at *Thwaits* Point) That 20 of them be plac'd at *Swan* Island, and under a distinct Officer. The said Vote having been sent down from the Board with a Message, that said 20 men might be so plac'd.

A Petition of *Francis Sawyer*, Representative of the Town of *Wells*, Presented to the House, and Read. *Praying*, That the Bounds of the said Town, may be Confirmed and Established, according to a Plat therewith Exhibited.

Ordered, That the Prayer of the Petition be Granted, provided it Intrench upon no former Grant Sent up for Concurrence.

The said Plat Inspected, Accepted and Confirmed.

Sent up for Concurrence.

A Bill Intituled, An Act, *To Impower Proprietors of Common Lands, to oblige their Associates to Pay their proportion of Charges and Disbursements referring to the Propriety.*

Read a 3d time, and Non-Concurr'd.

A Petition of sundry Inhabitants of *Bridgewater*, *Praying* as Entered the fifth of *December* last. Sent down from the Board, Pass'd on there, *Viz.* In Council, *July* 20. 1720. *Ordered*, That a Hearing be had on this, and the other Petitions of the Inhabitants of the Town of *Bridgewater*, referring to their Meeting-House, on the Second *Wednesday* of the Session of this Court in *Autumn* next.

Sent down for Concurrence. Read and Concurr'd.

A Bill, Intituled, An Act, *Enabling Elizabeth Carder, to Commence an Action at Common Law, on an authentick Copy of a certain Bond, Entred into by Anthony Haywood, of Boston, Merchant, Deceased, on the 7th Day of August, 1688. in the Penal Sum of l. 250 Condition for the Payment of l. 120. with Interest, unto Elizabeth Lemmon, since Deceased.* Being Passed at the Board, to be Engrost

Sent down for Concurrence.

Read three times, and Pass'd a Concurrence, with an Amendment.

Ordered, That Mr. *William Clark*, Capt. *Fullham*, and Capt. *Gardner*, be a Committee to wait on his Excellency the Governour, with a List of the Publick Notaries Chosen Yesterday, for his Approbation of them to be Signified in Writing under his Hand.

The said Members attended the Order of the House, and Returned Answer. That his Excellency said, inasmuch as the Council did not join in the Choice, he did not see how they could be Sworn.

An Ingrost Bill Intituled, *An Act to Regulate the Price & Assize of Bread.* Read & Resolved, That the Bill do Pass to be Enacted.

A Message from the Board by Mr. Secretary, viz.

Mr. Speaker,

His Excellency understanding by a Message Yesterday, That the House would gladly Rise this Day, Ordered me to acquaint you, that if all the Affairs cannot be finish't this Morning, the Council will meet in the Afternoon, and that the Board has now nothing before them.

An Accompt of *Addington Davenport*, &c. Commissioners, Appointed to Settle the Line between this Government, and the Government of *New-Hampshire*, amounting to *l. 13—10.*—Presented to the House for Payment. [24]

Resolved, That the Sum of *Thirteen Pounds, Ten Shillings*, be Allowed and Paid out of the Publick Treasury, to the Honourable *Addington Davenport*, Esq. to Discharge the said Accompt. Sent up for Concurrence.

Ordered, That *Elisha Cooke, John Clark, Oliver Noyes*, and *William Dudley*, Esqrs. and Capt. *John Gardner*, with such as the Honourable Board shall Join, be a Committee, in the recess of this Court, to search the Books and Records and prepare Instructions for Mr. Agent *Dummer*, whereby, to Enable him to Assert and Defend the just Limits and Boundaries, between this Province, and the Government of *New-York, New-Hampshire*, and *Rhode-Island*; to be Approved by his Excellency, the Governour and Council, and Transmitted by the Secretary, in the Name of this Court. Sent up for Concurrence.

Before the said Vote was sent up, a Vote was sent down from the Board of the same Purport, as to the Bounds between this Government, and that of *New-Hampshire*, which with this, was Sent up again.

An Engrost Bill, Intituled, *An Act, For Apportioning, and Assessing a Tax of Six Thousand Pounds, Seventeen Shillings, and Three-pence, upon Polls and Estates.* Read and

Resolved, That the Bill do Pass to be Enacted.

A Petition of *Joseph Wanton*, and *Richard Borden*, Praying, That the *Quakers* may be Relieved from the Hardships they are under, by being obliged to Pay to the Support of the *Presbyterians*, or *Independent Ministers*, and *Meeting-Houses*. Sent down from the Board, with the following Vote, viz. In Council, *July 21. 1720.*

Voted That the Honourable *Isaac Winslow, Nathaniel Paine*, and *Edmund Quincey*, Esqrs. be a Committee, to joyn with such as the Honourable House shall Appoint, to Inquire into the Grounds and Reasons, of the Complaints of the People, called *Quakers*; and to Consider what may with Justice, & due Regard to the Laws of the Province, be done for their Ease; and more especially, to prevent their being Oppressed upon any Distress made on their Estates; and to make Report to the General Assembly, at the Fall Sessions.

Sent down for Concurrence.

Read and Concurr'd.

And

Ordered, That Capt. *William Throop*, Major *Meletiah Bourn*, Mr. *John Foster*, and Capt. *John Gardner*, be joined in the Affair.

Ordered, That Mr. *John Clark*, Mr. *Cooke*, Major *Chandler*, Col. *Dudley*, Capt. *Throop*, Major *Bond*, and Capt. *Gardner*, be a Committee, to go up to the Board, and Inquire, Whether the several Acts that have been Sent up, are Completed.

Who Returned, That a Message would be sent down.

A Message from the Board, by Mr. Secretary *Willard*, That his Excellency, the Governour will have the several Votes and Orders, Pass'd this Session by this House, and the Board. Sign'd by half an hour past three this Afternoon. [25]

The Petition of *Nathan Wicket &c.* Praying as Entered the 20th Currant,
Read again and

The Question being put, whether the Prayer of the Petition be Granted?
It Passed in the Negative.

Post Meridiem.

THE Petition of *Gyles Dyer*, Passed upon in this House the 22d of *December* last. Sent down from the Board, further Pass'd upon there, viz. In Council, *July 23. 1720.*

Ordered, That the Consideration of this Petition be further Continued to the next Sessions of this Court, & that Executions on both sides be stayed in the mean time. Sent down for Concurrence. Read and Concurr'd.

A Message from his Excellency the Governour, by Mr. Secretary *Willard*, That he had Signed all the Bills, Votes and Orders that have Pass'd the two Houses.

Ordered, That Mr. *William Clark*, Mr. Treasurer *Allen*, and *John White*, Clerk of this House, be a Committee in the recess of this Court, to inspect the Accompts of the Commissioners for the *l. 100000* Loan of Province Bills that are brought in, and prepare them for this Court, to Pass upon at their next Sessions. And that such of the Commissioners as have not returned their Accompts, framed according to a Model sent to them by Mr. *William Clark*, &c. formerly a Committee appointed by this Court, be strictly Required without Delay, to Conform their Accompts to the said Model, and Return them to the Committee hereby appointed, in order to their being prepared by them, to be Pass'd on by this Court, at their next Sessions; and that in the mean time, all the Commissioners of the said Loan in the several Counties, respectively, do Get and Pay in to the Treasurer the Sums due for Interest. Sent up for Concurrence.

Resolved, That the Sum of *Five Hundred Pounds*, be allowed, and paid out of the Publick Treasury, to his Excellency, *SAMUEL SHUTE*, Esqr. Captain General, and Governour in Chief, of this His MAJESTIES Province, for his Support in Managing the Affairs of the Government.

Sent up for Concurrence.

Resolved, That the Sums of *Thirty Five Pounds*, be Allowed and Paid out of the Publick Treasury, to the Honourable *William Dummer* Esq; Lieutenant Governour, in Consideration of his readiness at all times to Serve this Province.

Sent up for Concurrence. [26]

Resolved, That the Sum of *Four Hundred Pounds*, be Allowed and Paid out of the Publick Treasury, to the Honourable the Judges of the Superiour Court of Judicature, in Proportion to the Courts they attended in the Year past.

Sent up for Concurrence.

Resolved, That the Sum of *Two Hundred and Fifty Pounds*, be Allowed and Paid out of the Publick Treasury to *Jeremiah Allen*, Esq. Treasurer of this Province for the Year past, his Trouble being extraordinary, in changing the Bills of Credit, and taking care for a Supply of the Garisons, &c.

Sent up for Concurrence.

Resolved, That the Sum of *Twenty Pounds*, be Allowed and Paid out of the Publick Treasury to *John White*, Clerk of this House, in part for his Service the Year Currant.

Sent up for Concurrence.

Resolved, That the Sum of *Twenty Seven Pounds Ten Shillings*, be Allowed and Paid out of the Publick Treasury to Mr. *John Flagg*, Door-keeper to his Excellency the Governour and this Court, for his Service half a Year, ended the 26th Day of last Month, and *Twenty one Shillings and Eight-pence*, for Looking after the Clocks, &c.

Sent up for Concurrence.

A Petition of *Walter Price*, of *Salem*. *Praying*, That Execution may be stopt, and he may be Enabled to Appeal to the next Supperiour Court, in a Case wherein *Stephen Minot*, Junior. *John Fayrweather*, and *Samuel Sewall*, Recoverd Judgment against him, for the Sum of *l. 612—2—4*. Damages, and *l. 3—3—10*. Costs, in the Inferiour Court of Common Pleas, Holden at *Boston*, from which he Appealed to the Superiour Court of Judicature, but by an Omission of Entering into Recognizance to Prosecute his Appeal, is Fore-closs'd the Benefit of it.

Pass'd upon in Council, viz. *July 23. 1720*.

Ordered, That Maj. *Walter Price*, be Enabled at any time within Ten Daies from the Rising of this Court, to give Bond for Prosecuting an Appeal by him made in an Action Prosecuted against him, at the Inferiour Court, the first Tuesday of *July* Currant, at *Boston*, by Messieurs *Sewall*, *Fayrweather*, and *Minot*, as Attorneys to *Matson*, and others, and the Clerk of the said Inferiour Court is hereby Directed to take a Proper Recognizance for the said Appeal, to be brought forward at the Superiour Court in *November* next, and the Execution already Issued out against the said *Walter Price*, is hereby Suspended and Ordered to be Returned to the proper Office, without further Proceedings thereon, the Petitioner Satisfying the Sheriff.

Any Law, Usage or Custom to the Contrary Notwithstanding.

Sent down for Concurrence.

Read and Concurr'd.

His Honour the Lieutenant Governour Returned the Vote of the House, Granting to him *l.* 35—0—0. with a Message; That having the Honour to bear the Kings Commission for Lieutenant Governour of this Province, and having Annually been more than *Fifty* Pounds out of Pocket in that Service, He did not think it consistent with his Honour to Accept thereof. [27]

A Message from the Board to Inquire, whether the House have Pass'd on *Carder's* Bill.

The said Bill Sent up to the Board with a Message, that there is a Petition containing Objections against the said Bill, Presented to the House, by *Powell Haywood*, Praying that he may be heard by the Court, before they Pass the said Bill.

A Message from the Board by *Penn Townsend*, *John Appelton*, and *Addington Davenport*, Esqrs. Acquainting that the House the said *Haywood*, had been Notified that he might be heard before the Council, and a time Appointed, but he trifled with them, and did not attend.

And left the said Bill for the House to Pass upon.

An Ingrost Bill Intiuled *An Act Enableing Elizabeth Carder, to Commence an Action at Common Law, &c.* as afore entered, Read and Resolved, That the Bill do Pass to be Enacted.

A Message from the Board, by Mr. Secretary *Willard*.

Mr. *Speaker*,

His Excellency Expects, that this House attend him forthwith in the Council Chamber.

Mr. *Speaker* and the House went up accordingly.

And Mr. Secretary *Willard* Declared, That it is his Excellency's Pleasure, that this Great and General Court should be Prorogued to *Wednesday*, the 28th Day of *September* next, at Ten a Clock in the Morning. And that it was accordingly Prorogued.

JOURNAL

Of the House of Representatives.

At a Great and General Court or Assembly of His Majesty's Province of the Massachusetts-Bay, in ~~New-England~~, Begun and Held at ~~Boston~~, on Wednesday, the 13th Day of ~~July~~, Anno Domini, 1720. And Continued by Prorogations, to Wednesday the 2d Day of ~~November~~ next after, and then Met.

A Number Sufficient to Constitute a House not Appearing, The Members present Agreed to Meet again at Three a Clock Afternoon.

Post Meridiem.

Mr. *Speaker* Sent up a Message to His Excellency the GOVERNOUR, by Col. *Dudley*, Mr. *Cooke*, and Col. *Somersby*, That a Quorum of the House are now Met, and ready to Proceed on the Business of the Session.

The Precept Sent the Last Session to the Town of *Tiverton*, to Elect and Send a Representative: Returned to the House, They having Chosen Mr. *John Cook* junior for that Service.

A Letter from the said Mr. *Cook*, Dated *October 31. 1720.* Excusing his not Attending the House. Read.

A Letter from Mr. *John Gray*, Representative of the Town of *Harwich*, Excusing his not Attending the House. Read.

A Letter from Mr. *Jonathan Rice*, Representative of the Town of *Framingham* Dated *October 31. 1720.* Excusing his Absence. Read.

A Letter from Mr. *Richard Moore*, Representative of the Town of *Oxford.* Dated, *October 31. 1720.* Excusing his Absence. Read. [2]

A Message from the Board, by Mr. Secretary *Willard*, That His Excellency the Governour Expects, That this Honourable House forthwith Attend him in the Council Chamber.

Mr. *Speaker* and the House went up accordingly

And His Excellency made a SPEECH to the Court, whereof Mr. *Speaker* obtained a Copy, and with the House Returned to their own Chamber.

His Excellency's
S P E E C H

Read. And is as follows, *Viz.*

Gentlemen,

Since our Last Meeting, I Received several Informations upon Oath, That the *Indians* were Committing great Outrages in our *Eastern* Settlements, by Killing of Cattle, and threatning and insulting His Majesty's Subjects, which Affidavits I shall Order to be Laid before you. I therefore thought it highly necessary, with the Advice of His Majesties Council, to send some Forces into those Parts, in order to put a stop to these violent Proceedings, which at present has had its desired Effect; but think it still worthy your serious consideration, to find out what may be the best Measures to prevent these Mischiefs for the future; as also to secure His Majesties Subjects in the peaceable Enjoyment of their Just Possessions in those *Eastern* Parts, which I think a Duty incumbent upon you to Protect.

The vile practice of counterfeiting the Province Bills is carrying on, not only in many parts of these Provinces, but also in *Great Britain*, which if not timely prevented, must prove very fatal to most of the *American* Settlements, whose *Medium of Trade* are Bills of Credit. I therefore Recom- [3] mend it to you as one of the best Expedients to prevent the growth of this wicked practice, to make it a Capital Crime by a Law, & strictly to put it in Execution, without which, making of good and wholesome Laws will be of no signification, and instead of tending to Strengthen the hands of Government, which is the principal design of making them, will rather render the Government weak and feeble.

The Governour of *Nova Scotia* has tho't fit to acquaint me, that it appears to him by the several Examinations that has been taken before him, that the *French* were the chief Actors and Promoters of the late *Disaster* at *Canso*, where the Loss is computed to *Twenty Thousand Pounds*, besides the Lives of three or four of His Majesties Subjects:

I could heartily wish that this Province, and that of *New Hampshire*, (which as I have been informed, have constantly supplied the *French* of *Cape Breton* with Provisions and other Stores) have not in some measure been Instrumental in this

Misfortune. I think it therefore of great Concern to His Majesties Interest and His Subjects, in these Provinces, effectually to prevent these Proceedings by a Law, especially since such a Law will be entirely conformable to the Fifth Article of the Treaty of Nutrality in *America*, between *England* and *France*, in 1686 which I shall Order to be laid before you. I shall also Recommend the same Measures to the Assembly at *New-Hampshire*, in the most pressing Terms, when I Meet them in the Spring.

Gentlemen,

I shall add one thing more, That I hope the present Happiness and Tranquility of your Province, will put you in mind of chearfully Supporting the Mildest and most Easie Government, under the best and most Gracious Prince: It's what His Majesty most justly expects from a Country that Enjoys such singular Priviledges and Immunities, by which it is become one of the most Extensive and Flourishing of all His Majesties Plantations in *America*.

If there shall any other Matters (besides what I have Recommended to you) appear to be Advantageous to the Province I shall not fail to give them their just attention. [4]

The Precept Sent the Last Session to the Town of *Leicester*, to Elect and Send a Representative; Returned to the House, they having Chosen *John Meinzie's* Esq; to Represent them.

And the Question being put, *Whether the said Town of Leicester have Pursued the Tenour of the Precept*. Sign'd by the *Speaker*, per Order of the House, in the Return made of their Choice of a Representative.

It Pass'd in the Negative.

Penn Townsend, John Appleton, and Thomas Fiich Esqrs. Brought down sundry Papers, Referr'd to in His Excellency the Governour's Speech, with a Message, that the Affair relating to the *Eastern Indians* might have a speedy Consideration by the House.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Novis 3 Die Nobembris. 1720. A. M.

HIS Excellency the GOVERNOUR'S SPEECH Read again.

Several Affidavits, concerning various Insolencies of the *Eastern Indians*, and Damage done by them, to the *English* Inhabitants there the last Summer. Read.

A Conference of Col. *Shadiach Walton*, and others: And a Conference of Capt. *John Gyles*, with some of the Chiefs of the *Eastern Indians*, wherein is Proposed, That a Treaty be in a short time had with the said *Indians*, by Commissioners from this Government at *Arrowsick*. Read.

A Petition of Nine Principal *Indians of Kennebeck*, and *Nonidgawog*, Praying as Entered the 21st of *July* last, and then referred to this Session. Read again.

Ordered, That Mr. *John Clark*, Col. *Dudley* and Capt. *Plaisted*, Go up to the Board, and Request of his Excellency, an account of the State of the *Eastern* Parts, the Number of the Troops there, where Posted, and under what Regulations and Instructions.

Who Returned Answer, That His Excellency said, some of the Troops were Posted at *Swan-Island*, some at *Arrowsick-Island*, and some at *Casco-Bay*; and that his Excellency would send down a particular Account in Writing.

And that the Instructions to the Commanding Officer, should be Laid before the House.

A Copy of the Fifth Article of the Treaty between the Crowns of *England* and *France*, in the Year 1686. Referred to in His Excellency's Speech. Read.

A Petition of *Simon Ephraim*, &c. *Natick Indians*, Praying as Entred the 20th of *July* last, and then Referr'd to this Session. Read again.

Ordered, That the said Petition be Dismist, inasmuch as the Petitioners may have their Remedy at the Common Law.

Ordered, That Col. *Dudley*, Major *Chandler*, Mr. *William Clark*, Capt. *Fullam* and Capt. *Gardner* be a Committee, to Examine and Consider the subject Matter and Allegations of such Petitions as are presented to the House, and referred to them, and Report the same, with their Opinion thereon, to the House. [5]

Post Meridiem.

Mr. Treasurer *Allen* was admitted into the House, and Presented his Account of the present State of the Treasury, which was Read, and he withdrew.

Ordered, That Mr. *William Clark*, *Oliver Noyes*, *John Chandler*, and *John Wainwright* Esqrs. Mr. *Ebenezer Austin*, *John Stoddard*, & *Jonas Bond* Esqrs. With such as the Honourable Board shall Appoint, be a Committee, to Receive of the Treasurer, such Bills of Publick Credit in his Custody as are Torn, Defac'd, or unfit for Use, and take an Account of the Number of each of the sorts of the said Bills, and the Sum the whole amounts to, and give the Treasurer Receipt for them, and burn the said Bills to Ashes, and make Report of their Doings.

Sent up for Concurrence.

A paper Directed to Mr. *Speaker*. Signed by *Enoch Coffin*, and *John Norton*, Select-men of the Town of *Edgartown*. Dated *October 31. 1720*. Offered to the House, and Read. Shewing, That the said Town met the said Day, and Elected *Enoch Coffin* Esqr. to Represent them; which they did without a Precept, by reason that a Matter of great Importance to the said Town is like to come before this House this Session, Praying, that the said Person may be admitted to Sit as a Member of the House.

And the Question being put, *Whether the said Coffin be accordingly Admitted?*
It Pass'd in the Negative.

The Paragraph of His Excellency the Governour's Speech, proposing, That the Counterfeiting of the Bills of Publick Credit, be by a Law made a Capital Crime. Further Considered. And

Ordered, That Mr. *Cooke*, Major *Stoddard*, and Major *Chandler*, be a Committee to Prepare and Lay before the House a Draught of a Bill, *Enacting*, That the said Crime be made Capital.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 4 Die Novembris. 1720. A. M.

THE Petition of *Thomas Prentice*, and *Thomas Learned*, Praying as Entred the 20th of *July* last. Read again. And

The Question being put, *Whether any thing be Granted out of the Publick Treasury, in Answer to the said Petition?*

It Pass'd in the Negative.

The Report of the Honourable *William Tailer*, *William Dudley*, and *John Stoddard* Esqrs. Commissioners, sent the last *Autum* by this Court to Treat with the *Eastern-Indians*, that was Read the 15th of *July* last. Read again, and

Long Debate had on the Affair of the said *Indians*. [6]

Resolved, That it is derogatory to His Majesties Honour, and very injurious to this Province, that Monsieur *Ralle* a *French* Jesuit and Missionary should in Defiance of the Law, Reside in any part of this Province, which we are Informed he now does, as an Incendiary among the *Indians* at *Norrigawog*.

And that his Excellency the Governour be requested with Advice of the Council, to take effectual Methods for his Removal. Sent up for Concurrence.

Post Meridiem.

UPON a Motion being made,
Ordered, That a Precept be sent to the Town of *Edgartown*, to Elect and send a Person to Represent them in this House, if they see meet.

A Petition of *Samuel Willard* Attorney to *Jonathan Page* of *Grotton*, Praying as entered the 9th *December* last. Read again, and

Ordered, That the Prayer of the Petition be so far Granted, that the Petitioner may have liberty to bring in a Bill enableing him to Prosecut his Appeal, at the next Superiour Court of Judicature to be holden at *Charls-Town* for the County of *Middlesex*. Sent up for Concurrence

Mr. *William Clark* from the Committee appointed the 18th of *July* last, to go to *Cambridge*, and view the additional Brick Building at *Harvard* Colledge, Erected

at the Provincc Charge, and Report how they find the same effected, and to Examine, and Audit the Accompts of the Committee that had the care of Building the same. Made Report, That they had attended that Service, and find it a well Built and Finisht House, and well adapted to the Reception of Students.

And that they had Examined, and Audited the Accompts of the Committee that had the care of Building the same, and find them well Voucht, and rightly Cast; and the several Charges in the many Tradesmen's Bills, are no more than what is usual and customary: And that the Ballance due from the Committee to the Province is *One Hundred and Sixteen Pounds, and One Penny.*

And that they had Received the Keys of said Building, which with the Præsident, they named *Massachusetts-Hall*, and Delivered said Keys to the Præsident as to the Præsident and Fellows of *Harvard* Colledge. Read and

Ordered, That the said Report be Accepted, and that the said Sum of *One Hundred and Sixteen Pounds, and One Penny*, the Ballance in the hands of the said Committee, be Presented to them for their good Service in taking care of the said Building. Sent up for Concurrence.

An Accompt of *Bartholomcw Green*, Printer, of Printing and Paper, for the Government, *Anno 1719.* Amounting to *Thirty Seven Pound, Nine Shillings, Seven Pence*, Presented to the House for Allowance. Read and Committed to the Committee for Petitions.

An Accompt of the Honourable *William Dummer* Esqr. Commander of His Majesties Castle *William*; Amounting to *Five Hundred Pound*, Expended in the Repairs of the Works at the said Castle. Presented to the House for Allowance. Read and Committed to the Committee for Petitions.

WHereas this Government was at sundry times last Year fully Informed, of many Wrongs and Injuries offered to the English, Inhabiting the Eastern Parts, with- [7] in this Province, by the Kennebeck Indians, which occasioned the sending down several Gentlemen to Casco-Bay the last Winter, to Demand Satisfaction for the aforesaid Wrongs, and to bring them to a suitable Behaviour for the future: The Indians then promising that the whole Tribe should be acquainted therewith, in order to make Restitution, which they have not done, but have of late renewed their Insolencies, to the great damage of the People, Inhabiting those Frontiers; Mr. Ralle the French Jesuit, perpetually Instigating the aforesaid Indians, to persist in their Outrages on the English there.

Wherefore Resolved, That One Hundred & Fifty Effective Men, under suitable Officers be forthwith Ordered to march up to *Noridgawog*, & Compel the Indians that shall be found there, or in other those Parts, to make full Satisfaction for the Damage they have done the English, by Killing their Cattle, Swine, Sheep, or carrying them away, or Stealing Provisions, Cloathing, or any other ways wronging of them.

And that a Warrant be Directed to Capt. *John Leighton*, High Sheriff of the County of *York*, who is to accompany the Forces, for the apprehending and safe bringing Mr. *Ralle* to *Boston*, who is at present Residing at or near *Norridgawog*, in *Kennebeck* River in this Province; and that if he be not to be found, that then the Sheriff Direct and Command the *Indians* there, or in the Parts adjacent, to bring in and surrender up the Jesuit to him the Sheriff; and upon their Refusal, to Comply with either of the said Demands, that the Commanding Officer is to take the best and most effectual way to apprehend and secure the *Indians* so refusing, and safe Conduct them to *Boston*. Sent up for Concurrence.

Upon a Motion being made,

Ordered, That the Treasurer receive three Quarters of a *Five Pound* Bill of Credit on this Province hereto annexed, of Mr. *John Foster*, and give him a whole *Five Pound* Bill for the same: It being made to appear that the other part of the said Bill was casually Burnt. Sent up for Concurrence.

A Petition of *John Merrill*, *Henry True*, *John Morrill*, and *Daniel Morrill*, Select-men of the Town of *Salisbury*, Presented to the House and Read. *Praying*, That some Course may be taken by this Court, to Remedy the great Trouble and Damage; several of the Inhabitants of the said Town suffer by the Constables, & Officers of *New-Hampshire*, Distraining upon them for Taxes, &c.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 5 Die Novembris. 1720. A. M.

THIS House in Perusing the Treaty of the Commissioners sent by this Court the last Winter, to the *Eastern Indians*, find that they then Promised, that their whole Tribe should be acquainted with the Demand of the *English*. for the many Wrongs done to them, in order to the making of Restitution, which Promise they have not comply'd with, and no Restitution is yet made.

Voted, that the said *Indians* be written to forthwith, to comply with that their Promise, and that if they have any thing to offer to this Government, that they send their Messengers to *Boston* for that end, the General Court now Sitting. It not being Honourable for this Government to send Commissioners to them again, since they have fail'd of complying with what they promis'd at the last Interview with them. Sent up for Concurrence. [8]

The Petition of *John Merrill*, &c. Select-men of the Town of *Salisbury*, Paying as Entered yesterday. Read again, and Committed.

A Petition of *Samuel Clark* of *Ipswich* rendred a Creeple, by Wounds he formerly Received in the Service against the *Indian* Enemy, and unable to Labour for his Support, being in a necessitous Condition, *Praying* Relief.

Resolved, That the Sum of *Ten Pounds* be allowed and paid out of the publick Treasury, to Mr. *Nathaniel Knolton*, for the Relief of the Petitioner.

Sent up for Concurrence.

A Petition of Ensign *Hugh Pike*, presented to the House and Read, *Praying* the Compassionate Consideration, and Relief of this Court, towards his Support, being made a Creeple, and unable to Labour for a Livelihood, by Wounds received in the Service against the late *Indian* Enemy.

Resolved, That the Sum of *Fifteen Pounds* be allowed and paid out of the Publick Treasury, to *Hugh Pike*, the Petitioner, for his Relief.

Sent up for Concurrence.

A Message from the Board, by *William Tailer*, *Penn Townsend*, *Samuel Partridge*, *John Cushing*, and *Thomas Fiich Esqrs.* That the Governour and Council, had written to Col. *Walton*, the Commander of the Troops in the *Eastern Parts*, to Acquaint the *Indians* there, That Commissioners would be sent from this Government, to Treat with them, when they understood the *Indians* would be ready there to attend them.

And that thereupon the *Indians* had returned answer, they would very soon be there attending. Therefore thought it proper that some sent from the Government should see them: And that after such an Interiview, the Council shall be ready to joyn with vigour to do what shall then be thought most proper.

Ordered, That a Message be sent up to the Honourable Board, That this House had the Consideration of the Substance of their last Message, before they Pass'd their *Votes* respecting the *Eastern Indians*, and cannot think it consistent with the Honour of His Majesty, and the Interest of this Province, *that* Commissioners should be now again sent to those *Indians*: But continue of the opinion that the *Methods* proposed in their *Votes* of this Day and Yesterday, should be *Prosecuted*. Sent up by Mr. *Cooke*, Col. *Dudley*, Major *Chandler*, Capt. *Fullam*, Capt. *Throop*, Capt. *Gardner*, and Major *Bourn*.

An Accompt of *John Marcy* of *Woodstock*, of sundry Disbursements on *Joseph Sandford*, a Stranger, who fell Sick and Dyed at his House in *April* last, amounting to *Eight Pound*, *Nineteen Shillings*, *Two Pence*, Presented to the House for Payment. Committed.

A Report Signed *Penn Townsend* in behalf of the Committee, appointed by this Court, in July last, to Determine the place of Building the Meeting House in *Milton*; Sent down from the Board, Pass'd on there, *viz.* In Council, *November 5. 1720*: Read and Accepted. Sent down for Concurrence. Read and Concurred.

A Petition of *Henry Dwight*, and *Thomas Hastings*, Select-men of the Town of *Hatfield*, Presented to the House, and Read, *Praying*, That the *Premium* for Killing of Wolves, may be paid otherwise than by Discount of the Tax; there being more due for Killing of Wolves in the said Town, than their Tax amounts to.

And then the House Adjourned till *Monday* next, three a Clock Afternoon.

VOTES

Of the House of Representatives.

Lunæ 7 Die Novembris. 1720.

MR. *Crossman*, Mr *Noble*, and Mr. *Mulford*, Made their Appearance in the House, and offered their Excuse for their Absence this Session till this time.

Ordered, That their Excuse be accepted.

A Petition of *William Adams*, who has been in the Service as a Soldier, for sixteen years, presented to the House, and Read. Shewing, That he had his Arm broke the last year, while he was in the Service at *Winter-Harbour* Fort, and made a Creeple, and thereupon dismiss from the said Fort; *Praying*, That he may be put into some Service, whereby he may be Maintained, being in Bodily Health.

A Petition of *Nathaniel Fadre*, presented to the House, and Read. *Praying*, That he may be paid *Pilot's* Wages, for the time he was on Board His Majesties Ship *Squirrel*, from the 27th Day of *October*, 1719. to the 10th Day of *June* last, being put on Board as *Pilot*, to *Anapolis-Royal*, and back again, but the Ship proceeded to *Casco-Bay*, and from thence to *Barbadoes*, and *Saltertuda*, and to *Boston*; and for which he has received but two Months pay.

And the Question being put, *Whether any thing be allowed in answer to the said Petition?*

It Pass'd in the Negative.

Mr. *Cooke* from the Committee appointed, presented a Draught of a Bill, Intituled, *An Act against Counterfeiting the Bills of Credit on this Province, and the Neighbouring Governments.*

A Petition of *Samuel Patishall*, presented to the House, and Read; *Praying*, That the Duty of *Four Pound per Head*, on four Negroes, one whereof is an Infant, which he lately Imported with his Family from *Jamaica*, with a design to Settle on his Lands at the *Eastward*, may be remitted to him.

Ordered, That the Prayer of the Petition be so far Granted, as that the Duty on the Sucking Child be Remitted.

Sent up for Concurrence.

Ordered, That the Thanks of this House be Given to Col. *Dudley*, for a Map of *Merrimeck* River, by him made, and presented to this House.

Samuel Sewall, *Addington Davenport*, *Samuel Thaxter*, and *John Burril* Esqrs. Came down with a Message from the Board, That it is to be Considered, Whether it will be agreeable to former Treaties with the *Eastern Indians*, to send an Armed Force to their Head Quarters, before they are further Treated with, and

that the Governour and Council had Agreed before this Court Met, that some from this Government should meet them, and that the time appointed drew near when the *Indians* had promised to attend. And they left [10] with the House a Copy of the instructions that had been prepared, and Voted in Council, for Commissioners that had been Appointed to Treat with the *Indians*, which shew the design of their going. And then withdrew.

The said Instructions Read.

Voted, That a Copy of the Vote of this House Pass'd the 5th Currant, wherein it is Proposed, That if the *Indians* have any thing to Offer to this Government, they should send their Messengers to *Boston*, &c. be sent to the Commanding Officer of the Troops at the *Eastward*, to be by him Communicated to the *Indians*, in the presence of his Officers.

Sent up for Concurrence by Mr. *Cooke*, Capt, *Noyes*, Major *Chandler*, Capt. *Gardner*, and Capt. *Fullam*, with a Message, Proposing, That a Letter be sent to the *Penobscot Indians*, by a Sloop now Bound thither, to signifie to them, that although this Government shall endeavour to Compel the *Kennebeck Indians* to behave themselves suitably, and to make Restitution for the many Wrongs & Injuries they have done to the *English*; yet we intend nothing but what is amicable to them, since they have not joined with the *Kennebeck Indians*, in their insolencies.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Martii 8 Die Nobembris. 1720. A. M.

Information being given to this House that Capt. *Gore* who lately arrived in this Harbour with the small Pox in his Ship, whereof he is lately dead, and was attended by his wife, and others in his Sickness.

For Prevention of the spreading of that sickness if it may be.

Resolved, That the Select-men of the Town of *Boston* be Directed, and Impowered to take effectual care, that none of those that have accompanied, or attended Capt. *Gore* in his Sickness, be permitted to come to the Town of *Boston*, until it may be reasonably judged they will not be likely to bring the Infection with them. Sent up for Concurrence.

This House being informed that the *Penobscut-Indians*, have not join'd with, but discountenanced the *Kennebeck-Indians* in their Injurious Treatment of the *English*, and have lately sent a Letter to his Excellency the Governour, with a Belt of *Wampum*, expressing their Dutifulness and desire to continue in Peace and Friendship, whatever the Behaviour of the *Kennebeck-Indians* may be.

Resolved, That a Sum not exceeding Forty Pounds be Allowed and Paid out of the Publick Treasury, to be vested in such things as shall be tho't most proper, & sent to the said *Indians*, with a Letter from this Government, and

that *Elisha Cooke, William Dudley, and John Stoddard*, Esqrs. with such as the Honourable Board shall joyn, be a Committee to Prepare and Lay before the Court a Draught of such Letter. Sent up for Concurrence.

Ordered, That *Elisha Cooke, William Dudley, John Stoddard, John Clark, and Francis Fullam* Esqrs. with such as the Honourable Board shall join, be a Committee to consider the late Advices concerning the Five Nations [11] of *Indians*, when it was they had a Visit & Present from this Government; and Report what they think proper to be done by this Government at this time respecting the said *Indians*. Sent up for Concurrence,

The Committee made their Report on the Accompt of the Honourable *William Dummer* Esqr. which was Committed the 4th Currant *viz.* That they have Examined the said Accompts and find them right cast and well vouch't, and that the said Committee be Discharged accordingly.

Ordered, That the said Report be Accepted, and that the Committee be Discharged of the Sum of *Five Hundred Pounds*, they Received out of the Treasury as expended in the said Accompt. Sent up for Concurrence.

The Committee made Report on the Accompt of *Bartholemew Green*, which was Committed the 4th Currant *viz.* That the Sum of *l. 37 9 7* the amount of his Accompt be Paid to him.

Resolved, That the said Report be Accepted and that the Sum of *Thirty Seven Pounds, Nine Shillings and Seven Pence*, be Allowed and Paid out of the Publick Treasury to *Bartholemew Green* the Accomptant to Discharge the said Accompt. Sent up for Concurrence.

The said Committee made Report on the Accompt of *John Marcy*, which was Committed the 5th Currant, which was Accepted by the House, And accordingly,

Resolved, That the Sum of *Eight Pounds Nineteen Shillings and Two-pence* be Allowed and Paid out of the Publick Treasury to *John Chandler* Esqr. for the use of the said *Marcy*. Sent up for Concurrence.

Col. *Dudley*, from the Committee Appointed brought in a Bill, Intituled, *An Act for Explanation of, & Supplement to an Act, Referring to the Poor, &c.*

Read.

John Wheelwright, Edmund Quincey, and Thomas Fitch Esqrs, Brought down the following Vote from the Board, *viz.* In Council Nov. 8th 1720.

The Board having taken into their Consideration the Message of Yesterday, referring to the Kennebeck Indians; Observe that no notice is taken of, or satisfaction demanded for the many insufferable Insults and Injuries that have been committed by the said Indians, since the last Winter, but only such as preceeded the going down of the last Commissioners.

And considering the Measures and Promises to the Indians, His Excellency, with the Advice of the Council entred into during the Recess of the General Assembly, and which they judge necessary, and for the Publick Safety, and the just Expectation of the Indians thereupon.

The Board Propose, that three Gentlemen of Distinction, Ability and Integrity of the Province of Main, or elsewhere, be joined with Col. Walton, in Seeing and Treating with the Indians, as well upon the Vote of this Honourable House of the 5th Currant as on the Instructions Prepared for that purpose by Order of his Excellency and the Council in the Month of September last, or [12] any other Instructions that this Court shall Judge necessary or proper.

Sent down for Concurrence.

Read, and Non-concurred. Inasmuch as the Vote of this House of Friday last, refers to the Injuries done by the *Indians* since the last Winter.

Mr. *Holbrook*, made his appearance in the House, and offer'd his Excuse for his absence this Session till this time, which was accepted by the House.

Post Meridiem.

Col. *Dudley* from the Committee appointed, brought in a Bill, Intituled, *An Act, In addition to, and for making perpetual a Temporary Act, Intituled, An Act, For the more safe keeping the Registry of Deeds and Conveyances of Land, made in the First Year of His present Majesties Reign.* Read.

Samuel Thaxter Esqr. Brought down the Vote of this House, pass'd the 4th Currant, respecting the *Eastern Indians*, Non-concurr'd unanimously.

And the following Vote, viz. In Council, *November 8. 1720. Voted, That William Tailer, Addington Davenport, Thomas Fitch, Samuel Thaxter, and John Burril* Esqrs. With such Gentlemen as the Honourable House of Representatives shall appoint, be a Committee forthwith to Consider, and Report what is now proper to be done by this Court, with reference to the *Kennebeck Indians*.

Sent down for Concurrence. Read and Non-concurr'd. And

Voted, That a Conference be had by Committees of both Houses, on the subject Matter of the several Votes that have Passed between the House, respecting the Kennebeck Indians: And that John Clark, Elisha Cooke Esqrs. Capt. *William Throop, Oliver Noyes* Esqr. Capt. *John Gardner, John Stoddard, and Meletiah Bourn* Esqrs. be a Committee of this House, for the said Affair.

Sent up for Concurrence.

A Petition of *Richard Ireson*, of *Marblehead*, Praying, That he may be Enabled to File Reasons of Appeal from the Judgment of the Inferiour Court of Common Pleas, in the County of *Essex*, in *June* last, to the Superiour Court, in a Case between him, and *Edward Wilkinson*, of *Boston*, which he designed to do in season, but failed of, by reason of the time of the Superiour Court's being altered, and set sooner. Sent down from the Board. Pass'd on there, viz. In Council, *November 8. 1720. Read and Ordered, That the Prayer of this Petition be Granted, and that the Petitioner have leave to bring in a Bill accordingly.*

Sent down for Concurrence.

Read and Concurred.

A Memorial of the Honourable *William Dummer*, Esqr. Commander of His Majesties Castle *William*, brought down from the Board, by *Samuel Thaxter* Esqr Moving, That a Committee be appointed to go down to the said Castle, and view the Works lately done there, and Report what is necessary to be done for Securing the *East* and *West* Heads of the said Island, and in what Condition the Carriages at the lower Battery are. Sent down from the Board, and there Read and Recommended. Read and

Voted, That *John Chandler* Esqr. Mr. *William Stacey*, *George Bunker* Esqr. Capt. *William Throop*, and Mr. *Stephen Pierce*, with such as the Honorable Board shall Joyn, be a Committee for the Affair. Sent up for Concurrence.

A Bill Intituled, *An Act, For Explanation of, and Supplement to an Act, Referring to the Poor*, &c. Read a 2d time. [13]

A Petition of *Isaac Wooderry*, of *Beverly*, Presented to the House and Read, Shewing that by a Deed of Gift he Convey'd a House & Land in said Town, to his son *Isaac Woodberry*, who Died under age, Praying he may be Enabled to dispose of the said Estate, to a Grandson of his name.

And the Question being put whether the Prayer of the Petition be Granted?

It Pass'd in the Negative.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 9 Die Novembris. 1720. A. M.

MR. *Wadsworth*, Capt. *More*, Capt. *Terry*, and Mr. *Bicknel*, made their Appearance and offered their Excuse for their Absence this Session till this time, which was Accepted by the House.

A Bill, Intituled, *An Act in Addition to & for making perpetual, a Temporary Act, Intituled, An Act, For the more safe Keeping the Registry of Deeds and Conveyances of Lands*. Read a 2d and 3d time. And Pass'd to be Engrost.

Sent up for Concurrence.

Mr. *Cooke*, laid before the House, the Report of the Committee of both Houses, relating to the *Kenebeck-Indians*, Which was Read, and Accepted by the House.

Sent up for Concurrence.

A Bill Intituled, *An Act, For Explanation of, and Supplement to an Act, Referring to the Poor*, &c.

Read a 3d time, and Pass'd to be Engrost. Sent up for Concurrence.

A Message from the Board by Mr. Secretary *Willard*, That his Excellency desires this Honourable House now to come up and attend the Hearing, appointed to be this Day, on the Petitions of sundry Inhabitants of the Town of *Bridge-water*, respecting the Placing of their Meeting-House.

Mr. *Speaker* and the House went up accordingly; and when the Parties had been heard, Returned again to their own Chamber,

Post Meridiem.

Mr. *Cooke* from the Committee appointed of both Houses, offered to the House a Draught of a Letter, to be sent to the *Penobscut Indians*, which was Read, and Approved of by the House, and sent up.

The Petition of *James Packard*, and others of the Town of *Bridgewater*, Praying as Entred the 5th of *December* last, on which there has been a Hearing this Day. Sent down from the Board, Passed on there, viz. In Council, *November 9th. 1720.* A Hearing having been had before the whole Court on this and other Petitions of the Inhabitants of the Town of *Bridgewater*, referring to their Meeting-House.

[14]

Ordered, That the said Meeting-House be continued where it now stands.

Sent down for Concurrence. Read and Concurr'd.

Ordered, That a Message be sent up to the Honourable Board, That since they did not see meet at the last Session, to Joyn with this House in the Choice of *Publick Notaries* (which is the undoubted Priviledge of this Court) but to Deliberate on the Matter till this Session.

This House is now willing to Proceed to a new Choice of those Officers, if they see meet to joyn with them in it. Sent up by Col. *Dudley*.

A Petition of *Elisha Plaisted* Representative of the Town of *Berwick*, Presented to the House, And Read.

Praying, That a Barrel of Gun-powder, and Ball proportionable, may be given to the said Town, and a Chest of Province Arms lent to them, for their Defence, being much expos'd in case of a Rupture with the *Indians*.

A Message sent up to the Board by Capt. *Noyes*, that the Day being now spent, The Hearing upon the Report of the Honourable *Samuel Thaxter*, and *William Dudley* Esqrs. Relating to Province Land lying near *Peregrine White's* Farm, Appointed to be this Day, be Deferr'd, and Attended to Morrow.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Boston in New-England : Printed by **Pich. Boone**, Printer to the Honourable House of **Representatives.** 1720. [15]

VOTES

Of the House of Representatives.

Tobis 10 Die Novembris. 1720.

A Petition of *Edward Rayment, Joseph Herrick, &c.* Assessors of the Precinct of *Salem* and *Beverley*, called *Royal-side*, in behalf of the said Precinct, Presented to the House and Read; *Praying*, That a Law may be made, obliging a Precinct Collector to be under Oath, to the faithful Performance of that Office; and that the Precinct Treasurer may be Enabled to Call the Collector to Account, as the Town Treasurers are Impowered to do.

The following Vote sent down from the Board by the Honourable *Benjamin Lynde*, and *Jonathan Dowse* Esqrs. viz. In Council, *November 10th. 1720. Voted*, That a Message be sent down to the Honourable House of Representatives, Importing, that the Board have Considered the Message from the House yesterday, relating to *Publick Notaries*, and have Determined to Join with them in the Choice of *Publick Notaries* to morrow at Ten a Clock in the Forenoon.

Whereas it is Represented to this House, that great Abuses are practised, and wrong done to the Publick, by false Musters.

Voted, That *Mr. John Clark, Mr. Cooke, Mr. Sawyer, Mr. Wilder, and Mr. Wainwright*, be a Committee to receive Information, and make Discovery of such corrupt practices, and make Report to the House. And also to Propose Expedients for Remedy thereof.

Ordered, That the Select-men of the Town of *Boston*, be desired to take care for the finishing of the *Publick Hospital*, on *Spectacle-Island*, so as to make it warm and comfortable, for the Entertainment of the Sick; and that they supply Necessaries to such as are there, and not able to Provide for themselves. To be Paid for out of the Publick Treasury. Sent up for Concurrence.

Col. Dudley from the Committee for Petitions, made Report on the Petition of *John Merrill*, and others, *Praying* as Entred the 4th Currant, which was accepted by the House, and accordingly

Ordered, That the Assessors of the Town of *Salisbury* do continue (as they have always heretofore done) to Rate all the Inhabitants and Estate of that Town, to the Southward of the known and antient Boundary and Line that has been Established and Acknowledged between *Salisbury* and *Hampton*, and between the Provinces of the *Massachusetts-Bay*, and *New-Hampshire*. And that it may, and hereby is Declared lawful for the Inhabitants of *Salisbury*, dwelling to the Southward of the aforesaid Line, to Seiz and Secure any person or persons coming from *Hampshire*, pretending to be Constables or Collectors, and carry any such, or their Assistants before lawful Authority, in order to their being proceeded with, as

the Laws of this Province Directs, relating to persons, pretending to be Constables, &c. Rioters or breakers of the Peace; and that the Select-men of *Hampton* be Notified immediately of this Order. [16]

Post Meridiem.

A Petition of *Andrew Faneuill*, of *Boston*, Merchant, *Praying* as Entred the 10th of *June*, 1719. Read.

A Message from the Board by Mr. Secretary *Willard*, That his Excellency desires this Honourable House, now to come up to attend the Hearing on the Report of *Samuel Thaxter*, and *William Dudley* Esqrs. Relating to Province Land, adjoining to *Peregrine White's* Farm; Mr. *Speaker* and the House went up accordingly; and when the Claimers of the said Land had been heard, Return'd again to their own Chamber.

The Vote of this House, pass'd the 23d of *July* last, on the Plat of the Township of *Wells*, not having been at that Session. Passed upon at the Board.

Ordered, That the said Vote be Revived: And sent up for Concurrence.

A Bill of Doctor *John Herrick*, of his Applications to Serjeant *Daniel Tucker*, under Cure of a Gun-shot Wound in the Trunk of his Body, amounting to *l. 33*. Presented to the House for Payment. Read, and Comitted to the Committee for Petitions.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Veneris 11 Die Novembris. 1720. A. M.

A Petition of *Simon Stephen* of *Eastham*, Indian. Presented to the House and Read,

Shewing that he in his own Right and as Attorney to his Brother, *Stephen Mortequit* Indian, Brought an Action of Trespass against *Thomas Nickerson*, junior of *Chatham*, At an Inferior Court of Common-Pleas, in the County of *Barnstable* in *January* last past, where the Defendant obtained Judgment for him, and the Petitioner Appealed to the next Superior Court of Judicature to be holden at *Plymouth*, &c. but before the Sitting of the said Court, the said *Stephen Mortequit*, was prevailed upon to revoke his power of Attorney to him, and refused to joyn in Prosecuting the Appeal, whereby the Petitioner was disabled from proceeding therein.

Praying, That he may be Enabled to Prosecute his Appeal, his said Brothers Refusal notwithstanding.

A Petition of Capt. *John Billings* of *Dorchester*, Presented to the House, And Read. [17]

Praying, Allowance towards the Support of *Thomas Onconconug*, a Blind Indian (that Received the hurt which occasioned his Blindness in the Publick Service) or that he may be Excused from any further care of him.

Resolved, That the Sum of *Six Pounds*, be Allowed and Paid out of the Publick Treasury, to Capt. *John Billings*, the Petitioner, to be by him Improved for the Relief and Support of the said *Indian*. Sent up for Concurrence.

A Petition of *Samuel Came*, *William Pepperel*, *Francis Sayer*, and *Elisha Plaisted*, Representatives of the Towns of *York*, *Kittery*, *Wells* and *Berwick*, Presented to the House, And Read.

Shewing, That One Hundred of the choicest Men are Detach't out of the said Towns, and sent further Eastward, under the Command of Col. *Walton*, whereby the said Towns are Exposed to great Danger, in case of a Rupture with the *Indians*.

Praying, That the said Men may be Dismist, and Returned home, and that for the future the said Towns may be Excus'd from having any Men drawn out of them.

Ordered, That Mr. *Cooke*, Col. *Dudley* and Mr. *John Clark*, be a Committee, to whom the said Petition is Committed.

A Bill Intituled, *An Act against Counterfeiting the Bills of Credit on this Province, and the Neighbouring Governments*. Read a First time.

Ordered, That Capt. *Fullam*, Capt. *Gardner* and Capt. *Stevens*, be a Committee, to Prepare and lay before this House, a Draught of a Bill Obliging Proprietors in Lands to Pay their Proportion of the charge of the Propriety.

A Message from [to] the Board by Col. *Dudley*, That this House is now ready to Proceed to the Choice of Publick Notaries, if the Board are ready to joyn with them in it, and Propose first to chuse Two for the Port of *Boston*.

Who returned that the Board were ready to join in the said Choice.

The House Proceeded to bring in their Votes for Two Publick Notaries for the Port of *Boston*.

Ordered, That Col. *Dudley*, Capt. *Fullham* and Major *Quincey*, be a Committee to carry up the Votes for Publick Notaries, and Assist in Sorting and Numbering them, with the Votes of the Board, and the Report of the Choices that shall be made.

The said Committee carried up the said Votes,

And Reported that Mr. *Joseph Hiller* and Mr. *Samuel Tyley*, were Chosen by a Major part of the Voters.

The House Prepared their Votes separately for a *Publick Notary*, for each of the Ports of *Salem*, *Plymouth*, *Newbury*, *Bristol*, and *Kittery*; which were separately Carried up by the aforesaid Committee. [18]

And they Reported that the Persons following were Chosen by a Major part of the Voters, *viz.* for the Port of

Salem. *Stephen Sewall* Esqr.

Plymouth. *Josiah Cotton* Esqr.

Newbury. Mr. *Stephen Jaques* Junior.

Bristol. Capt. *William Throop*.

Kittery. Capt. *William Pepperel*.

A Petition of *Ebenezer Johnson*, in behalf of the Heirs of Capt. *Edward Johnson*, late of *Woburn* Deceased, Presented to the House, And Read.

Praying, Confirmation of a Plat of 200 Acres of Land therewith Exhibited to satisfy a Grant made by the General Court to the said *Edward Johnson*, Anno 1663. (a Plat which the Petitioner Exhibited to this Court in *October* 1718. for Confirmation, being then Confirmed on Condition, that it was not in either of the Two New Townships that were Granted beyond *Groton*, which it happened to be, and therefore he has had laid out a new *per Jonas Houghton* Surveyer, and Chainmen under Oath.)

Ordered, That the Land, Delineated in the Plat on the other side, be Allowed and Confirmed, as the Two Hundred Acres of Land, Granted to Capt. *Edward Johnson*, Anno 1663. *Provided* it exceed not the Quantity of 200 Acres, nor In-trench upon any former Grant. And that the former Plat, and Vote thereon be made Void and Null. Sent up for Concurrence.

Post Meridiem.

A Petition of *John Valentine*, late Attorney General of this Province, presented to the House, and Read. *Praying* further Allowance, for his Service in that Office, for two years last.

And the Question being put, *Whether any thing be Granted in answer to the said Petition?* It Pass'd in the Negative.

The Petition of *Samuel Came*, *William Pepperel*, *Francis Sayer*, and *Elisha Plaisted*, *Praying*, as Entred this Day, further Considerd; and the Report of the Committee thereon offered by Mr. *Cooke*, which with a little alteration, was accepted by the House, and accordingly

Voted, That inasmuch as the several Towns therein mentioned, are Frontiers, and Lye Exposed to the Outrages and Insults of the *Indians*, and in a time of Danger, their Circumstances rather call for Help and Succour from this Government, by an addition of Men, to Safeguard them, than have any of those few Men among them obliged to March further *Eastward*, in defence of the new Settlements; and that therefore it will be more for the Service and Interest of this Province, that what Officers shall from time to time, be thought needful to be Posted or Sent into those Parts, should be taken out of the other Counties within this Province. And for the Ease and Preservation of the Towns of *York*, *Kittery*, *Wells*, and *Berwick*; His Excellency the Governour be desired, to Order that all the Men Detached out of these several Towns be Dismised, and that no one of the Inhabitants in that County be Detached for the future, or permitted in the Room and Stead of any others, untill they are better able to defend themselves.

Sent up for Concurrence. [19]

An Ingrost Bill Intituled, *An Act for Explanation of and Supplement to An Act, Referring to the Poor, &c.* Read And.

Resolved, That the Bill do Pass to be Enacted.

A Petition of *John Wetherel*, and *John Skinner*, Assessors of the Town of *Norton*, Presented to the House, And Read

Complaning of the Proceedings of the Court of General Sessions of the Peace, in the County of *Bristol*, in their Nulling Three Tax-Bills by them made, & Requiring them to make them anew, & upon their not doing it, Imprisoning and Fining them, altho they had made the said Tax-Bills according to Law, in their best Judgment and Understanding. Praying Relief. Sent up.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Sabbati 12 Die Novembris. 1720. A. M.

A Bill Intituled, *An Act Against Counterfeiting the Bills of Credit, on this Province, and the Neighbouring Governments.* Read a Second time.

An Accompt of Doctor *John Herrick*, of his Applications to Serjeant *Daniel Tucker*, which was Committed the 10th Currant further Considered, and the Report of the Committee thereon.

Which was Accepted by the House. And accordingly.

Resolved, That the Sum of *Thirty Three Pounds*, be Allowed and Paid out of the Publick Treasury, to Capt. *Joseph Herrick*, for the Use of Doctor *John Herrick*, to Discharge the said Accompt. Sent up for Concurrence.

A Petition of *William Adams*, Praying as Entered the 7th Currant, further Considered, and the Report of the Committee thereon, which was accepted by the House. And accordingly

Ordered, That the said Petition be Dismist. [20]

Col. *Dudley* Presented to the House a Report Signed by *John Chandler*, himself, and *Thomas How*, a Committee appointed by this Court the 23d of *November* last, to Survey the Land and Line between the Towns of *North-hampton*, and *Hatfield &c.* Which was Read and

Ordered, That said Report be Accepted. And that the Accompt of *Seventeen Pounds, Two Shillings and Four-Pence*, the charge of the said Committee be Allowed, and that it be Paid by the said Towns, viz. half by the Town of *North-hampton*, and half by the Town of *Hatfield*. Sent up for Concurrence.

A Bill Intituled, *An Act for Altering the Form of the Certificate of Payment for Wolves, made out of any Town Stock.* Read a First time.

The Petition of *Simon Stephen* an *Indian*, Praying as Entered the 11th Currant. Read again, and Committed.

And then the House Adjourned till Monday next Three a Clock Afternoon.

Boston in New-England, Printed by Rich. Boone, Printer to the Honourable House of Representatives, 1720. [21]

VOTES

Of the House of Representatives.

Luna 14 Die Novembris. 1720. P. M.

A Bill Intituled, *An Act against Counterfeiting the Bills of Credit on this Province, and the Neighbouring Governments.*

Read a Third time and Pass'd to be Engrost,

Sent up for Concurrence by Capt. *Noyes*, Col. *Somersby* and Major *Chandler*, with a Message Requesting his Excellency the Governour, to Write to the several other Governments mentioned in the said Act, that a like Law may be made by them.

The Petition of *John Wetherel*, and *John Skinner*, Assessors of the Town of *Norton*, Praying as Entered the 11th Currant, Sent down from the Board, Pass'd on there, viz. In Council November 14th 1720. Read and

Ordered, That the Justices of the County of *Bristol*, be served with a Copy of this Petition, and that they give immediate Answer thereto.

Sent down for Concurrence. Read and Non-concurr'd. And

Ordered, That Mr. *Cooke*, Capt. *Noyes* and Major *Stoddard*, be a Committee, to whom the said Petition is referred, to consider the Subject matter, and Allegations thereof, and Report their Opinion thereon to the House.

A Bill Intituled, *An Act to Impower Proprietors of Common Lands, to Oblige their Associates to Pay their Proportion of Charges and Disbursements, Referring to the Propriety.* Read a first time.

Voted, That the Committee Appointed the 10th Currant, to make Discovery of corrupt Practices in false Musters, &c. be Impowered to send for Persons, as they shall judge needful, to make such Discovery.

And then the House Adjourned till to Morrow Morning Nine a Clock. [22]

Martis 15 Die Novembris. 1720. A. M.

MR. *Fisher*, Representative of the Town of *Wrentham*, made his Appearance in the House, and offered his Excuse for his Absence this Session till this time.

Ordered, That his Excuse be accepted.

The Precept that was sent to the Town of *Edgartown* Returned, and *Enoch Coffin* Esqr. Chosen Representative of the said Town, who appeared, and was sent up to the Board, to be Qualified by Taking the Oaths, &c.

The Petition of *Simon Stephen*, *Indian*, that was Committed the 12th Currant, further Considered, and the Report of the Committee thereon offered. Which was accepted by the House, and accordingly

Ordered, That the Petitioner be allowed, to prepare and lay before the Court, a Bill, to Enable him the said *Simon Stephen*, to Prosecute his Appeal at the next Superiour Court, to be held at *Plymouth*, for the County of *Plymouth*, *Barnstable*, and *Dukes County*, notwithstanding the Revocation of the Power of Attorney, granted to him by his Brother *Stephen Mortaquit*, alias, *Stephen Stephen*.

Sent up for Concurrence.

A Report of the Committee of the Proprietors of the Town of *Rutland*, Sign'd by *Thomas How*, *Stephen Minot*, *Thomas Smith*, *Jacob Stevens*, and *Estes Hatch*: Shewing, That the said Proprietors, have complied with, and fulfilled the Condition of the Grant of the said Township, made to them by this Honourable Court in every particular, Exhibiting a List of Sixty Families thereon, &c. The said Report being Certified under the hands of *John Chandler*, and *Francis Fullam* Esqrs. and Mr. *Joseph Wilder*, who had been at the said Town. Read and

Resolved, That the said Report be accepted, and that the Proprietors of *Rutland*. have fulfilled the Conditions of their Grant. Sent up for Concurrence.

A Bill, Intituled, *An Act, To Enable Jonathan Page, of Grotton, in the County of Middlesex, Husbandman, to Prosecute an Appeal, between him and Nathaniel Sparhawk, of Cambridge, and Simon Gates of Marlborough, in the County of Middlesex, Administrators to the Estate of Stephen Gates, senior, Deceased; and to File Reasons of Appeal in the said Cause, in the Clerks Office of the Superiour Court of Common Pleas, within the County of Middlesex.* Read a first time.

A Petition of *James Ivers*, *Edward Gray*, *John Vivian*, and *William Tilley* of *Boston*, Ropemakers, Presented to the House and Read, *Praying*, That more effectual provision may be made, that the Hemp for which the *Premium* is paid out of the Treasury, be duly Manufactur'd; and that when the *Premium* is paid, the Hemp may not be carried away again, and opportunity given for its being brought again for the *Premium*.

Ordered, That *John Clark* Esqr. Mr. *William Clark*, Capt. *Fullam*, and Major *Bond*, be a Committee, to whom the said Petition is referred, to consider the subject Matter and Allegations thereof, and Report their Opinion thereon to the House.

The Petition of *Andrew Faneuil*, of *Boston*, Merchant, which was Read the 10th Currant. Read again. [23]

And the Question being put, *Whether the Prayer of the Petition be Granted?* It Pass'd in the Negative.

The following Vote of the Board, Brought down, viz. In Council, *November 14. 1720. Whereas one Jo. alias, Joseph, a free Negroe, of the Town of Boston, hath lately Killed (as 'tis thought) Murthered Nanny his Wife, in a very barbarous manner, and stands Committed for the same; and the keeping of him in Prison till May next, the stated time by Law for the next Assizes in Boston, will be a great Charge to the Province, or County; and the speedy Tryal of him thought most convenient: And*

whereas the Court of Assize, and General Goal Delivery, for the County of Suffolk, are yet Sitting by Adjournment, in Boston; but have Dismissed both the Grand and Petit Juries.

Resolved, That the Judges of the said Court of Assize, &c. Be, and hereby are Authorized, and Directed to Issue out Venires for the Summoning in, as well of Grand Jurors, as of Persons, to Serve on the Jury of Tryals, in order to Proceed to the Tryal of the said Jo. alias Joseph, according to Law and Justice. Any former Law, Usage or Custom to the contrary notwithstanding. The Charge and Expence of the said Tryal, to be born by the County of Suffolk.

Sent down for Concurrence.

Read and Non-concurr'd.

Post Meridiem.

A Bill Intituled, An Act, to Impower Proprietors of Common Lands, to Oblige their Associates to Pay their Proportion of Charges and Disbursements Referring to the Propriety. Read a 2d time.

And the Question being put, *Whether the Bill be Read a 3d time?*

It Pass'd in the Negative.

A Report of Penn Townsend &c. Committees of both Houses, to Receive of the Treasurer and Burn unserviceable Bills of Credit on this Province, &c. Presented to the House, And Read

Shewing, That they had Received and Burnt to Ashes, the Sum of l. 9718 3 4. part of the Principal that was Received of Addington Davenport Esqr. &c. Trustees for the l. 50000 Loan.

Resolved, That the said Report be Accepted, and that the Treasurer be Discharged accordingly. Sent up for Concurrence.

A further Report of the last mentioned Committees, Presented to the House, And Read.

Shewing, That they had Received of the Treasurer, and Burnt to Ashes, the Sum of l. 1070 15 10. Bills of Credit on this Province, on Account of the Canada Loan.

Resolved, That the said Report be Accepted, and that the Treasurer be Discharged accordingly. Sent up for Concurrence,

The Bill Intituled, An Act, In addition to an Act, Intituled, An Act, for the more safe keeping the Registry of Deeds and Conveyances of Lands. Sent down from the Board, Concurr'd with an Amendment.

Which was Read and Agreed, and the Bill sent up again.

W*Hereas the Preservation of the Publick Records (more especially of the General Assembly) is of great Importance, and the De- [24] struction of them by Fire, (to which they are exposed while they are single) would be an irreparable Loss*

to this Province: And whereas there is a Duplicate of the said Records, from the First Planting of this Province to the Year 1686. and no further.

Ordered, That the Secretary be Directed with all convenient Speed, to Prepare a Duplicate of the Records of the General Assembly, from the Year 1686. to this Present time, the same with the Duplicate of the preceding time, to be kept where the House of Representatives, for the time being shall direct.

Sent up for Concurrence.

A Bill Intituled, *An Act, for Altering the Form of the Certificate of Payments for Wolves, made out of any Town-stock.* Read a 2d time.

A Memorial of *Daniel Powning*, Keeper of the Powder-House in *Boston*. Presented to the House, And Read

Shewing, That the lower Floor of the Powder-House is out of repair, and Standing in need of speedy Reparation.

Ordered, That the Memorialist *Mr. Daniel Powning*, be desired to take care, to have the Repairs necessary for the said Powder-House, Speedily done at the best rate he can, and lay an account thereof before this Court if Sitting, otherwise before his Excellency the Governour and Council for Payment.

Sent up for Concurrence.

Mr. Cooke, from the Committee appointed made Report on the Petition of *John Wetherel*, and *John Skinner*, Committed Yesterday, which was Accepted by the House, and accordingly.

Ordered, That altho *Mrs. Leonard*, and others might have Reason to Apply to the Court of Sessions for an Abatement of their Rates, and if upon Disclosing that matter it did appear to that Court that the Assessors had not attended the Rules & Directions of the Law in some points, yet inasmuch as the Law hath not Impowered the Court of Sessions in such Cases to declare the whole Rate Bill Null and Void, and order the Assessors to make a new Assessment. That therefore the Three Rate Bills made by the Assessors of the Town of *Norton*, 1719. which were Condemn'd by the Sessions, and new ones Ordered to be made in Lieu thereof be Collected and Paid in, on or before the last Day of *February*, next, and all that think themselves Over-rated may have their Remedy as heretofore by Law Accustomed.

And the Constables that had those Rates to Collect, be Directed & Impowered to gather in and Pay the same accordingly, and that the Petitioners be Enabled to bring forward an Appeal, at the next Court of Assize at *Bristol*, from the Sentence of the Court of Sessions where they were Fined *Forty Shillings* Each, and denied an Appeal. Sent up for Concurrence.

A Petition of *Joseph Pike*, in behalf of himself and others, that Purchased a Tract of Land of *John an Indian*, Heir of *Penicook*, in the Year 1701. which Tract is Ten Miles Square, Lying to the Westward of *Haverhill*. Presented to the House, And Read. [25] *Shewing* That sundry *Irish* People have Settled thereon and call it *Nutfield*.

Praying, That the said Purchasers may have the said Tract Confirmed to them, or so much as falls within this Government.

Ordered, That Mr. *Cooke*, Capt. *Gardner*, and Col. *Dudley*, be a Committee to consider of the said Petition, and of the affair of *Nutfield*, and make a Report to the House what they think proper to be done.

A Bill Intituled, *An Act, to Enable Simon Stephen, of Eastham, in the County of Barnstable, Indian, Labourer, to Prosecute an Appeal, in a cause depending between him and his Brother Stephen Mortaquit, alias Stephen Stephen, and one Peter Dogamus, as Appellants against Thomas Nickerson, junior, of Chatham, in the said County, Labourer Appellee.* Read.

Samuel Sewall, Addington Davenport, Thomas Fitch, and Paul Dudley, Esprs., brought down the Bill Intituled, *An Act against Counterfeiting the Bills of Credit on this Province, and the Neighbouring Governments.* Concurred with some Amendments, the Reason of which Amendments they gave to the House, and Returned.

Which were Read, but none of them agreed to by the House. The said Bill Sent up again by Mr. *Cooke*, Col. *Dndley*, Capt. *Noyes*, and Major. *Stoddard*, and to render the Reasons of the House in not Agreeing to the said Amendment.

An Account of *Benjamin Haws*, one of the Committee Appointed by this Court, *November 1716.* To go to *Nantucket*, to Inquire into, and Report the Grievances of the *Indians* there, of his Charge and Service in that affair, Amounting to *l. 12—2—0* Presented to the House for Allowance. Read and Committed.

A Petition of *Jonathan Sanders*, and 49 others of the Western Precinct in *Watertown*. Presented to the House and Read, *Praying*, That a Line may be Determined and Settled, to Divide the said Precinct and the Eastern Precinct in the said Town, for Reasons therein Alledg'd.

Petition of *Nathaniel Bright*, and 7 others of the Eastern Precinct, in the said Town, *Praying* as the Petition of the Western Precinct last mentioned.

Presented to the House and Read. And

Ordered, That the said Petitions Ly upon the Table, till Friday next afternoon; before they are further Proceeded on.

And then the House Adjourned till to Morrow Morning nine a Clock.

Mercurii 19 Die Novembris, 1720. A. M.

A Bill, Intituled, *An Act, To Enable Simon Stephen, of Eastham, in the County of Barnstable, Indian, to Prosecute an Appeal, in a Cause lately depending, between him and his Brother, Stephen Mortaquit, alias, Stephen Stephen, and one Peter Dogamus, as Appellants, against Thomas Nickerson, junior, of Chatham, in the County aforesaid, Labourer, Appellee,* Read a 2d time.

An Account of *Nicholas Boone*, for Paper Printing and Sticking the Votes of this House, the last Fall, and *July* last, amounting to the Sum of *l. 17 18.* Presented to the House for Payment. Committed.

Shubal Goreham Esqr. made his Appearance in the House, and offered his Excuse for his Absence this Session, till this time. Which was accepted by the House, he Paying for part of the time wherein he was not inevitably hindred from attending.

A Bill, Intituled, *An Act, For altering the Form of the Certificate for Wolves, made out of any Town Stock.* Read a 3d time, and Pass'd to be Engrost.

Sent up for Concurrence.

A Bill, Intituled, *An Act, To Enable Richard Ireson, of Marblehead, in the County of Essex, Cordwainer, to File Reasons of Appeal, in the Clerk's Office of the Inferiour Court, within the County of Essex, in a Case lately depending between him, and Edward Wilkinson, of Boston, in the County of Suffolk, Coaster.* Pass'd at the Board to be Engrost. And sent down for Concurrence. Read a first time.

A Bill Intituled, *An Act, To Enable Jonathan Page, of Grotton, in the County of Middlesex, Husbandman, to Prosecute an Appeal, between him and Nathaniel Sparhawk, of Cambridge, and Simon Gates, of Marlborough, in the said County of Middlesex Administrators to the Estate of Stephen Gates senior, Deceased, and to file Reasons of [26] Appeal in the said Cause, in the Clerk's Office of the Inferiour Court of Common Pleas, within the County of Middlesex.* Read a 2d time.

A Petition of *Thomas Fayrweather*, Grandson of *John Pain*, late of *Boston*, Merchant. Presented to the House, and Read. Praying, a Grant of a Tract of Land for the Service of his said Grandfather, in running the Southern Line of the late *Massachusetts* Colony, home to *Hudson's River*; which the said Colony agreed with him to do, aud to pay him for the same in Land, but has not hitherto been done. Committed.

Thomas Fitch Esqr. Brought down the Memorial of the Honourable *William Dummer* Esqr. Commander of *Castle William*; Shewing as Entred the 8th Current, and the Report of the Committee of both Houses thereon. *Viz. Castle William, November 15. 1720.*

Pursuant to the foregoing Order, we have Viewed the Works, and find them well finished, and find it absolutely necessary, that the East and West Heads be well Secur'd, by good substantial Wharffs, and that there be new Carriages for the Guns at the lower Battery, to be ready for Service. Sign'd *Penn Townsend*, in behalf of the Committee. In Council, *November 16. 1720.* Read & Recommended.

Ordered, That the Honourable *William Dummer*, Esqr. *Oliver Noyes* Esqr. & Mr. *William Clark*, be a Committee, to take care, in the best and most effectual manner to secure the East and West Heads of *Castle-Island*, either by Wharffs, or driving in of Spiles, to be fill'd up with Stones, or otherwise, as upon good advice and consideration, it shall be thought best.

And to get new Carriages made for the Guns at the lower Battery, of good strong white Oak, seasoned Timber, to be paid for out of the Publick Treasury.

Sent up for Concurrence.

A Petition of *John Thomas*, and sixty one others, Inhabitants and Freeholder of the Town of *Swanzy*, presented to the House and Read. *Praying*, that the Tract of Land called *Shawamet* Purchase (part of the said Town) may be made a separate Town, for reasons therein alleadged.

Oadered, That the Petitioners Serve the Town of *Swanzy*, and particularly that part thereof called *Shawamet*, with a Copy of this Petition, that they may be heard thereon before this Court, on Friday the 25th Day of this Month.

Sent up for Concurrence.

An Engrost Bill, Intituled, *An Act, in addition to an Act, Intituled, An Act, for the more safe keeping the Registry of Deeds, and Conveyances of Land*. Read.

Resolved, That the said Bill do Pass to be Enacted

Charles Frost, Brought down the Engrost Bill, Intituled, *An Act, For Explanation of, and Supplement to an Act, referring to the Poor, with a Message, That the Board Proposed an Amendment thereto, which he left with the said Bill*.

The said Amendment Read: And agreed to be sent up.

Upon a Motion being made,

Ordered, That Mr. *Cooke*, Major *Stoddard*, Capt. *Fullam*, and Capt. *Throop*, be a Committee to Prepare and Lay before the House, a Draught, of a Bill *For Granting to His Majesty, an Excise upon Wines Liquors and Strong Drink, Sold by Retail, that shall be in Force*, as soon as the present Act for that End shall Expire.

Post Meridiem.

Ordered, That Mr. *Cooke*, Major *Quincey*, Capt. *Gardner*, Mr. *Knolton*, Capt. *Fullam*, Major *Bond* Capt. *Pumry*, Mr. *Foster*, Major *Bourn*, Mr. *Crossman*, Capt. *Pepperell*, Major *Mayhew*, & Mr. *Bunker* be a Committee to consider the State of the Province, in respect of a *Medium* of Trade, and make Report to the House.

A Petition of *Joseph Parmenter*, Father, and *Hannah Parmenter*, Widow, Relict of *Benj. Parmenter*, late of *Braintree*, Deceased. Presented to the House & Read; *Praying*, That they may be Enabled to Sell a House, & about an Acre and half of Land, which was the said Deceased's, the Produce thereof to be Lodged in the hands of Trustees, to be Improved, for the use of the Children of the said Deceased, till they shall come of Age for Reasons therein Assigned.

And then the House Adjourned till to Morrow Morning Nine a Clck.

N. B. *In the Votes of Friday the 10th Currant*, Page 18. Line 40. *For the word* (Officers,) Read (Forces)

VOTES

Of the House of Representatives.

Tobis 17 Die Novembris. 1720. A. M.

A Bill Intituled, *An Act for Erecting, Granting, and making a County, in the Inland parts of the Province, to be called the County of Oxfordshire, and for Establishing Courts of Justice within the same.* Read a first time.

A Bill Intituled, *An Act to Enable Simon Stephen, of Eastham, in the County of Barnstable, Indian Labourer, to Prosecute an Appeal in a Cause lately depending between him, and his Brother Stephen Mortaquit, alias Stephen Stephen, and one Peter Dogamus as Appellants, against Thomas Nickerson, junior, of Chatham, in the County aforesaid Labourer, Appellee.*

Read and Pass'd to be Engrost.

Sent up for Concurrence.

A Petition of *John Arms*, of *Deerfield*, Presented to the House, and Read, Praying that a Pension may be Granted to him for his life, in Consideration of his being Creepled and Disabled by Wounds, he received in the Service against the late *French* and *Indian* Enemy. In answer to the said Petition.

Resolved, That the Sum of *Six Pounds per Annum*, be Allowed and Paid out of the Publick Treasury, to *John Arms*, the Petitioner, for his Relief during his natural Life. Sent up for Concurrence.

A Petition of *Joseph Chapin*, and 26 others, Soldiers at *Castle-William*, Presented to the House, and Read,

Praying, That their Wages may be Augmented, for reasons offered in the Petition.

And the Question being put, whether the Prayer of the Petition be Granted? It Pass'd in the Negative.

The Petition of *Joseph Parmenter*, and *Hannah Parmenter*, Praying as Yesterday, further Considered. And

Ordered, That Capt. *Peter Adams*, and Mr. *Samuel Savill*, of *Braintree*, be, and hereby are Authorized and Impowered to make Sale of the Real Estate of the said *Benjamin Parmenter*; the Produce thereof to be put out to Interest, and applied to, and for the use of the Widow and Children, of the Deceased, and to Pay the Children as they come of Age their Proportion of the Principal.

Sent up for Concurrence. [28]

Ordered, That Mr. *Speaker*, Issue his Warrant to Capt. *Isaac Little* and a Warrant to Mr. *John Austin*, That they forthwith attend His Majesties Service in this House.

Post Meridiem.

A Memorial of *John Noyes, Joshua Haynes, John Moore, John Haynes, and Samuel Stone*, Select-men of the Town of *Sudbury*, Presented to the House & Read: *Shewing*, That the said Town have agreed and passed a Vote at a late Meeting, to Build a Meeting-House, to accommodate the whole Town, on the *West-side* of their River. *Praying*, That the said Vote may be Confirmed.

A Copy of the said Vote Read.

And the Copy of the Dissent of 50 persons against the said Vote Read. And some of the Inhabitants of the said Town of each Party were admitted into the House, and were Heard.

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It pass'd in the Negative.

Ordered, That Capt. *Noyes*, Col. *Dudley*, and Major *Chandler*, Go up with a Message to the Board, That this House is credibly Informed, that some Servants in this Town are Run from their Masters, on Board His Majesties Ship the *Rose*, and when their Masters have gone for them, they refuse to Deliver them, Requesting his Excellency to Interpose his Authority, to Remedy so great a Grievance.

Mr. *Cooke* from the Committee appointed, made Report on the Petition of *Joseph Pike*, Committed the 15th Currant, which was accepted by the House. And accordingly

Ordered, That whereas *James Mac Gregor, James Mac Keen, and James Gregg*, on behalf of themselves, and sundry others, by their Petition to this Court, at their Sessions in *May*, 1719. set forth that the Court in *October* foregoing, Granted them a convenient Tract of Land, of six miles square, and appointed a Committee to Lay it out for them, in the *Eastern Parts*; and upon further Inquiry, the Petitioners found a more convenient Tract of Land, about fourteen Miles from *Haverhill*; and that they had begun a Settlement there, and had increased to the Number of Fifty Families; and therefore *Pray'd*, that in case the Land should Lye within this Government, they might be formed into a Township, and till then, quietly possess and improve the said Lands unappropriated, free and clear from any Disburse. Which Petition was rejected.

And that some time since they have applied to the Government of *New-Hampshire*, and are made by them a Township, and have Civil Officers among them, for Governing their Affairs; which is a great and open breach upon the Jurisdiction of this Government, and may tend to deprive them of their just Rights, and Proprieties, if not speedily prevented.

And whereas Joseph Pike, on behalf of himself, and others, Inhabitants of this Province have made application, for a Grant of those Lands for a Township.

Wherefore Resolved, That Capt. *Gardner*, Capt. *Kimball*, and Mr. *Sanders*, be Desired and Impowered (taking with them the Sheriff of the County of *Essex*;

and such a Number of Men from *Haverhill*, or those Parts as may be needful) to Repair to the aforesaid Land, and view the several Houses, and other Improvements that have been of late made by those people thereon; and report the same to this House, & at the same time signifie to the said *James Mac Gregor*, *James Mac Keen*, and *James Gregg*, That they without delay come to the Court, and render the Reasons that induced them to proceed so far in their Settlements, without the [29] leave or consent first had of the General Court. That this Court may take such further steps in this Matter, as they shall then think fit.

Capt. *Norden* brought down the Petition of *Joseph Parmenter*, and *Hannah Parmanter*, and proposed an Amendment to the Vote of this House thereon, *viz.* To change the said Vote from the word *Interest*, as follows, *viz.* Which *Interest* to be applied to, and for the Use of the Widow and Children of the Deceased; and the Children to have their Proportion of the Principal, as they come of Age.

Which was agreed to by the House.

A Petition of *Sarah Williams*, of *Salem*, Widow, presented to the House, and Read, *Praying*, That she may be Enabled to make Sale of her Real Estate in the said Town, (which was Entailed to her Children; they being all Dead, and she Aged, and in want) for the payment of just Debts, and her necessary Relief.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Veneris 18 Die Novembris, 1720. A. M.

A Petition of *Mary Fowle*, of *Woburn*, Widow, Presented to the House and Read, *Praying*, That she may be Paid the Sum of *Ten Pound Ten Shillings*, due to her for Billetting of Soldiers in *March*, 1718. as *per* Account. Committed.

A Bill Intituled, *An Act to Enable the Several Towns, Precincts, and Parishes, Legally set off, to Chuse Collectors for the Gathering any Town, County, Precinct, District, or Parish Rates or Assessments.* Read a first time.

The Petition of *Sarah Williams*, as Entered Yesterday. Read and sent up.

A Petition of *Joseph Buckminster*, *Praying* as Entered the 28th of *November* last. Read and Committed.

A Bill Intituled, *An Act in further Addition to An Act, Intituled An Act for Highways,* Read a first and Second time

Ordered, That Major *Chandler*, Capt. *Pomry*, and Mr. *Whitemore*, be a Committee to whom the said Bill is Referred, to propose what Amendments they think proper thereto.

A Message from the Board, by *Paul Dudley* Esqr. That they understand a Print has been Read in the House, containing matters that highly Import this Province, and Particularly Relating to the Charter, which they desire may be laid before them.

The said Print was accordingly sent up by Mr. *Cooke*.

An Engrost Bill, Intituled, *An Act for Altering the Form in the Certificate of Payments for Wolves, made out of any Town-Stock,* Read and

Resolved, That the Bill do Pass to be Enacted, [30]

Upon a Mottion being made, *Ordered,* That Mr. *James Scolly*, be Messenger of this House, to attend the several Committees of the House, and go on their Messages as there shall be occasion.

The Account of *Nicholas Boone*, Committed the 16th Currant further considered, and the Report of the Committee thereon, which was accepted by the House. And accordingly

Resolved, That the Sum of *Seventeen Pounds Eighteen Shillings*, be Allowed and Paid out of the Publick Treasury to Mr. *Nicholas Boone*, the Accomptant, to Discharge the said Accompt.

An Account of *Benjamin Haws*, Committed the 15th Currant, further Considered, and the Report of the Committee thereon, which was accepted by the House, And accordingly.

Resolved, That the Sum of *Twelve Pounds & Two Shillings*, be Allowed and Paid out of the Publick Treasury, to Mr. *Benjamin Haws* the Accomptant, to Discharge the said Accompt. Sent up for Concurrence.

A Bill Intituled, *An Act in Explanation of, and in Addition to, An Act, Intituled; An Act, for Review in Civil Causes.* Read a first time.

A Petition of *Samuel Patridge, John Stoddard, Samuel Porter, and Henry Dwight*, the Committee for *Northfield*. Presented to the House and Read.

Praying, That an Order of Court Pass'd in *June 1715*. Impowering them as such a Committee for two Years next coming, for Reasons therein Alledg'd.

Ordered, That the Prayer of the said Petition be Granted.

Sent up for Concurrence.

A Bill Intituled, *An Act for Erecting, Granting, and Making a County in the Inland Parts of the Province, to be called the County of Oxfordshire, and for Establishing Courts of Justice within the same,* Read a Second time And

Ordered, That Capt. *Noyes*, Col. *Dudley*, and Major *Stoddard*, be a Committee to whom the said Bill is Referr'd, to Propose such Amendments thereto as they shall think needful.

The Vote of this House, Pass'd the 15th Currant, for Drawing a Duplicate of the Records of this Court, Sent down from the Board Concurr'd with the following Amendment, *viz.* instead of the words, where the House of Representatives, for the time being shall Direct: the following words *viz.* In a distinct and separate Place, according to the Direction of the General Assembly.

Sent down for Concurrence. Read and Nonconcurr'd. And

Voted, That the House Adhere to their Vote sent up.

A Bill Intituled, *An Act to Enable Richard Ireson of Marblehead, in the County of Essex, Cordwainer, to File Reasons of Appeal in the Clerk's-Office, in the Inferiour*

Court in the County of Essex, in a Case lately depending between him [31] and Edward Wilkinson, of Boston in the County of Suffolk Coaster. Read and Pass'd a Concurrence, that the Bill be Engrost.

Post Meridiem.

THE Petition of the Eastern and Western Precincts, of the Town of *Watertown*. *Praying*, as Entered the 15th Currant. Read again, and some of the Inhabitants of the said Town, both for and against the said Petitions, were Admitted into the House and heard thereon, and then withdrew.

Upon consideration of the Petitions of the Eastern and Western Precincts in the Town of *Watertown*.

Ordered, That *John Clark, William Dudley, John Chandler Esqr. and Capt. William Throop*, with such as the Honourable Board shall appoint, be a Committee to go to the said Town, View and Consider the Situation, Settlements and Circumstances of the Place; and Project the most suitable, proper and equitable Partition Line or Boundary they can, between the *Eastern* and *Western* Precincts in the said Town.

And to Consider, Whether it is fit and reasonable, that either, or both the Meeting-Houses there should be Moved; And to what Place, and in what time, if they shall think either or both ought to be moved: And make Report to the Court.

Sent up for Concurrence.

The Reverend Mr. *Leverett*, President of *Harvard-Colledge*, and the Reverend Mr *Wadsworth*, and Mr. *Colman*, Fellows of the said Colledge, were Admitted into the House; and Mr. President *Leverett* Address the House in thankful Acknowledgment of the Favour of this Court to the said Colledge, in Erecting an additional Brick-Building, for the Reception and Accommodation of the Students there; and leaving a Copy of the Address, they Withdrew.

Ordered, That the said ADDRESS, which is well Accepted by this House be Printed in the Votes of this Day.

The said ADDRESS is as follows, *Viz.* [32]

To his Excellency
Samuel Shute Esqr.

Captain General and GOVERNOUR in Chief, in and over His Majesties Province of the *Massachusetts-Bay* in *New-England*.

And to the Honourable His Majesty's Council, and House of Representatives in General Court Assembled, at *Boston*, *November 2d. 1720*.

THE Humble Address of the ~~President~~ and ~~Fellows~~ of ~~Harvard-College~~ in ~~Cambridge~~.

Sheweth,

THat Whereas it pleased the Great and General Assembly of this *Province* in Answer to the Memorials of the Honourable and Reverend the Overseers of the said ~~College~~ laid before them at their Sessions ~~November~~ the 15th 1717. and ~~November~~, 13th 1718. To Grant and Order an additional Brick-Building to ~~Harvard-College~~, for the Reception and Accommodation of the *Tutors* and *Students* there; and most Generously from time time to Allow, Grant and Order, to be Paid out of the ~~Publick-Treasury~~, to the Committee Appointed for the Effecting the said Building, such Sums of Money, as in your Great Wisdom and Goodness you saw necessary, for so great and good a Service.

And Whereas it hath Pleased *Almighty God* (to whose ~~Honour~~ and ~~Glory~~, our Fathers first Founded the said ~~College~~ & who has made it a singular *Blessing* and *Honour* to the ~~Province~~ unto this day) so far to smile upon your Pious Expe-
nce in this Additional Building, and to Prosper the Faithfull Cares of the Worthy *Gentlemen* of the Committee appointed to Oversee the same, as that we now see with Joy a fine and goodly ~~House~~ Erectd and Finished, such as doth every way answer the then Views and Proposals, of the *Honorable* and *Reverend* the *Overseers* your late *Me-* [33] *Memorialts*, and will be a lasting Monument, if GOD please, of the Just Regards of the Present ~~Government~~ for the Support of Religion and Learning amongst us in time to come.

We the ~~President~~ and ~~Fellows~~ of the ~~College~~ do therefore hold our selves Indispensibly Obliged, from the Relation we stand in to the ~~College~~ as well as the affection we bare to the ~~Churches~~ of our *Lord Jesus*: First of all to give Thanks unto *Almighty GOD* who has inclined and Led the ~~Government~~ into and thro so great and Noble a Work, and then also to make our acknowledgements to your *Excellency* and *Honours* for this great Benefaction to the ~~College~~, Beseeching the

Lord GOD of our *Fathers*, graciously to Accept of, and abundantly to Reward unto his People, this their Offering to his Name.

And as to our selves, who have the Pleasure and the Honour to *Address* your *Excellency* and *Honours* upon so happy Occasion, we beg Leave to say that under the *Influence* and *Assistance* of the *Divine Grace* in our respective Capacities according to the Trust reposed in us, shall always Exert our selves as we are in Duty bound, to Preserve and advance that *Society*, in the *principles* and *practice* of *Piety* and *Loyalty* and all *Vertue*, as well as in good *Literature*, which we know will be the most acceptable acknowledgment from,

May it please Your Excellency and Honours,

Your most Dutiful and Obedient Servants,

John Leberett,

In the Name of the Præsident, and Fellows
of *Harvard-Colledge*. [34]

A Bill Intituled, *An Act, To Enable Jonathan Page of Grotton, in the County of Middlesex, Husbandman, To Prosecute an Appeal, between him and Nathaniel Sparhawk, of Cambridge, and Simon Gates of Marlborough, in the said County of Middlesex, Administrators to the Estate of Stephen Gates senior, Deceased, and to file Reasons of Appeal in the said Cause, in the Clerk's Office of the Inferiour Court of Common Pleas, within the County of Middlesex.* Read a 3d time. And

Pass'd to be Engrost. Sent up for Concurrence.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Sabbati 19 Die Novembris, 1720. A. M.

A Petition of *Pain Mayhew*, for and by Order of the Town of *Tisbury* and *Chilmark*, Presented to the House and Read; *Praying*, That the Inferiour Courts for that County, may for the future be ordered to be holden at the Town of *Tisbury*, instead of the Town of *Edgartown*, where they are now holden, for Reasons therein Alleadg'd.

And the Question being put, *Whether the Prayer of the Petition be Granted?* It Pass'd in the Negative.

A Bill Intituled, *An Act, In Explanation of, and Addition to, An Act, Intituled, An Act, For Review in Civil Causes.* Read a 2d time. And

Ordered, That Mr. *Cooke*, Capt. *Noyes*, and Capt. *Pumry*, be a Committee, to whom the said Bill is Referred.

The Bill Intituled, *An Act against Counterfeiting the Bills of Credit on this Province, and the Neighbouring Governments.* Sent down again from the Board with Amendments. Which was Read, and not Agreed to by the House.

Ordered, That the House adhere to their Bill, as first sent up, and as now it is new Draughted.

An Engrost Bill, Intituled, *An Act, To Enable Richard Ireson, of Marblehead in the County of Essex, Cordwainer, to file Reasons of Appeal in the Clerk's Office, of the Inferiour Court, within the County of Essex, in a Case lately depending between him and Edward Wilkinson, of Boston, in the County of Snffolk, Coaster.* Read and

Resolved, That the Bill do Pass to be Enacted.

A Letter from Mr. Agent *Dummer*, to Mr. *Speaker*, Dated, *Middle-Temple, London, September 17. 1720.* Brought into the House, and Read.

A Message from the Board by *Thomas Fitch* Esqr. That if the House hath Perused the Publick Letter from Mr. Agent *Dummer*, they desire it may be sent up Which was accordingly done.

A Message from the Board, by Mr. Secretary *Willard*, That the Board have Concurred the Bill of this House against Counterfeiting the Bills of Credit. And the Vote of this House for a Duplicate of the Records of this Court.

A Bill Intituled, *An Act, To Enable the several Towns, Precincts, Districts and Parishes legally set off, to Chuse Collectors, for the Gathering any Town, County, Precinct, District or Praish Rates or Assessments.* Read a 2d time

And then the House Adjourned till Monday next Three a Clock Afternoon.

Boston in Britn-England : Printed by **Rich. Boone**, Printer to the Honourable House of **Representatives.** 1720. [35]

VOTES

Of the House of Representatives.

June 21 Die Novembris. 1720. A. D.

UPON a Motion being made, The Question was Put, *Whether* it should be Referred to the Committee Appointed, to Consider the State of the Province in respect of a Medium of Trade, to Consider a Proposal that a Bridge be built over *Charles-River*, from *Boston*, to *Charlstown*, at the Ferry-place?

It Pass'd in the Negative.

Ordered, That Mr. *Speaker*, Issue his Warrant to Mr. *Francis Sayer*, Representative of the Town of *Wells*, forthwith to Attend His Majesties Service in this House.

A Petition of *William Taylor*, Gentleman, and *Sarah Taylor*, Spinster, both of *Lynn*, Praying, That an Attested Copy of the Last Will & Testament, of their late Father Mr. *James Taylor*, Deceased, may be Authenticated and made as good and effectual in the Law as the Original, (the Original Will being casually lost) Sent down from the Board, Pass'd on there, *viz.* In Council *November*, 19th 1720. Read and Ordered.

That the Prayer of this Petition be Granted, and that the Petitioner bring in a Bill accordingly. Sent down for Concurrence, Read and Concurred.

An Engrost Bill, Intituled, *An Act against Counterfeiting the Bills of Credit on this Province, and the Neighbouring Governments*, Read and

Resolved, That the Bill do Pass to be Enacted.

Resolved, That where any Member of this House has or shall absent himself from His Majesties Service in this House, without Leave of the House; That the Clerk Prosecute him and them, as the Law Directs, The Money that shall be so Recovered to be applied, as this House before they Rise shall Direct.

An Engrost Bill Intituled, *An Act to Enable Simon Stephen, of Eastham, in the County of Barnstable, Indian Labourer, to Prosecute an Appeal in a Cause depending between him, and his Brother Stephen Moraquit, alias Stephen Stephen, and one Peter Dogamus, as Appellants, against Thomas Nickerson junior, of Chatham, in the County aforesaid Labourer Appellee.* Read and

Resolved, That the Bill do Pass to be Enacted. [36]

WHEREAS Complaint is made to this House, that Robert Leighrig, Servant to Thomas Picket, of Milton, was about a Month since, Seized on the Long-wharf in Boston, & forcibly carried aboard His Majesties Ship the *Shark*, and is there Detained, which is a great Breach on the Rights of His Majesties Subjects of this Province.

Ordered, That a Message be sent up to his Excellency the Governour, Requesting him to give Order, that the said *Leighrig*, be forthwith Dismist from the said Ship, That he may Return to the Service of his said Master. And that the said Ship may not be suffered to Sail out of this Harbour until it be done.

Sent up by Mr. *William Clark*, Capt. *Noyes*, Col. *Sumersby*, Major *Chandler* and Mr. *Wainwright*.

A Petition of *John Hays*, Keeper of the *Light-House*, at the Entrance of the Harbour of *Boston*. Presented to the House and Read,

Praying, That his Salary may be Augmented, for Reasons therein Assigned.

Resolved, That the Sum of *Seventy Pounds*, be Granted to the Petitioner for his Service the Year coming, to be Paid Quarterly as it becomes due.

Sent up for Concurrence.

Ordered, That Col, *Somersby*, Capt. *Gorham*, and Mr. *Coffin*, be of the Committee Appointed to Consider the State of the Province, with respect to a Medium of Trade in the Room of Capt. *Gardner*, Mr. *Bunker*, and Major *Mayhew*, that are Absent,

And then the House Adjourned till to Morrow Morning Nine a Clock.

Martis 22 Die Novembris, 1720. A. M.

A Petition of *John Barns*, of *Boston*, Merchant, *Praying*, That the Duty of *Four Pounds* on a Negro Boy, lately Consign'd to him from *Antigua*, may be remitted to him, for Reasons therein alleadg'd.

Sent down from the Board, pass'd on there, *viz. November 21. 1720*. Read and Recommended. Read and

Resolved, That the Prayer of the Petition be Granted. Sent up for Concurrence.

A Petition of *Mary Dixby*, late Wife of *Joseph Porter*, junior, late of *Salem*, Husbandman, Deceased, Intestate, Presented to the House, and Read. *Praying*, That she may obtain, and be Intituled, to her Right of Dower, in an Estate which her said Husbands late Father, Mr. *Joseph Porter*, by Will gave to him; notwithstanding her said Husband Died five days before his said Father. [37]

And the Question being put, *Whether the Prayer of the Petition be Granted?* It passed in the Negative.

A Petition of *William Tailer*, *Adam Winthrop*, and *John Ballentine* of the Committee for the Town of *Worcester*, presented to the House and Read; *Praying*, That they may be heard, on the Bill for Erecting a new County, to be called *Oxfordshire*, before it be pass'd; they were accordingly admitted, and proposed, and offered their Reasons that *Worcester*, and not *Oxford* should be the Shire Town of the said County. And withdrew.

A Bill Intituled, *An Act, For Erecting, Granting and Making a County in the Inland Parts of the Province, to be Called the County of Oxfordshire.* Read a 3d time. And Pass'd to be Engrost. Sent up for Concurrence.

A Petition of *John Johnson*, of *Woodstock*, and *Comfort Star* of *Dedham*, presented to the House and Read. *Praying*, That Order may be given for the Laying out of 250 Acres of Land, to the Heirs of Capt. *Eleizer Lusher*, and 250 Acres to the Heirs of Capt. *Isaac Johnson*, to fulfil a Grant of the General Court, made to them, in *May*, 1659.

And the Question being put, *Whether the Prayer of the Petitioners be Granted?*
It Pass'd in the Negative.

A Petition of *Ebenezer Newel* of *Roxbury*, *Praying*, That he may be permitted to Enter his Appeal from the Judgment of the Court of Quarter Sessions, held at *Boston*, in *April* last, for being Convicted of Selling Strong Drink without License, at the next Superiour Court of Judicature, to be held in the County of *Suffolk*; and the Execution of the said Judgment be suspended, for Reasons therein offered. Sent down from the Board, pass'd on there, *Viz.*

In Council, *November 21. 1720.* Read and

Ordered, That the *Prayer* of this petition be Granted, and that the Petitioner have Leave to bring in a Bill accordingly.

Sent down for Concurrence. Read and Concurred.

A Bill Intituled, *An Act, To Enable the several Towns, Precincts, Districts and Parishes, legally set off, to Chuse Collectors, for the Gathering any Town, County, Precinct, District or Parish's Rates or Assessments.* Read a 3d time.

And Pass'd to be Engrost. Sent up for Concurrence.

A Bill Intituled, *An Act, In Explanation of, and Addition to an Act*, Intituled, *An Act, for Review in Civil Causes.* Read a third time, and pass'd a Concurrence, That the Bill be Engrost.

The Petition of *Thomas Fayrweather*, *Praying* as Entred, the 16th Currant, further Considered; and the Report of the Committee thereon. Which was Accepted by the House. And accordingly In Answer to the said Petition.

Ordered, That Five Hundred Acres of Land, be Granted to the Heirs, or legal Representatives of the Petitioner's Grandfather, Mr. *John Pain*, late of *Boston*, Merchant, Deceased, in full of all Claims, and Demands whatsoever, On Account of the Service mentioned in the Petition, to be Laid out by a Surveyor, and Chain-men under Oath in proper Form, and a Plat thereof Returned to this Court for Confirmation, within the space of a Year.

Sent up for Concurrence. [38]

In Consideration, that the Principal Business of this Court, is at present before Committees, who while the Court sits twice a Day, have not a time to bring forward what is Committed to them.

Ordered, That this House for the present meet but once a Day, *viz.* At Nine in the Morning, and ordinarily continue Sitting till Two a Clock in the Afternoon.

A Message sent up by Capt. *Noyes*, and Mr. *John Clark*, to Acquaint the Honourable Board therewith.

Post Meridiem.

A Petition of *Samuel Bullard*, &c. Select-men of the Town of *Sherborun*, in behalf of the said Town; Presented to the House and Read.

Praying, That they may have Six or Seven Thousand Acres of Land, added to their Grant of 7000 Acres Lying Westward of the Town of *Mendon*, to be sufficient in time to Accomodate a Township.

And the Question being Put, *Whether the Prayer of the Petition be Granted?*

It Pass'd in the Negative.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 23 Die Novembris, 1720.

Capt. *Isaac Little*, Representative of the Town of *Marshfield*, appeared in the House, and made his Excuse for his Absence till this time.

Ordered, That his Excuse be accepted, he paying for part of the time of his Absence, wherein he was not inevitably hindred attending.

A Report of *Peter Rice*, and *William Ward*, who with Mr. *Jonas Prescott*, were appointed by this Court, the 22d day of *July* last, to Run and Mark the Lines and Bounds of the Grant of a Tract of Land lately made by this Court to the Town of *Lancaster*. Presented to the House and Read: And a Plat of the said Tract offered therewith.

Ordered, That Col. *Dudley*, Major *Chandler*, and Mr. *Crane*, be a Committee, to whom the said Plat and Report is Referred, to Consider the same, and Report what they think proper for this House to pass thereon.

The Petition of *Mary Fowle*, *Praying* as Entred the 18th Cnrrant, further Considered, and the Report of the Committee thereon; Which was accepted by the House. And accordingly [39]

Resolved, That the Sum of *Eight Pounds*, and *Nine-pence*, be allowed and paid out of the Publick Treasury, to Mrs. *Mary Fowle*, the Petitioner, in full of her Demand in her Petition. Sent up for Concurrence.

The Petition of *Joseph Buckminster*, which was Committed the 18th Currant, further Considered, and the Report of the Committee thereon; Which was Accepted by the House. And accordingly

Resolved, That the Sum of *Eight Pounds*, and *Nine-pence*, be allowed and paid out of the Publick Treasury, in full of the Demand mentioned in the said Petition. *That is to say*, The Sum of *Seven Pounds*, *Ten Shillings*, to Mr. *Jonathan Maynard*. And the Sum of *Ten Shillings* and *Nine-pence* to Mr. *Robinson*.

Sent up for Concurrence.

An Engrost Bill, Intituled, *An Act, In Explanation of, and Addition to, an Act*, Intituled, *An Act, for Review in Civil Causes*. Read and

Resolved, That the Bill do pass to be Enacted.

This House being Inform'd, That Mr. *Robert Auchmuty*, has Received the Sum of *Five Pounds* of *Thomas Picket*, to procure the Release of *Robert Leighrig* his Servant, from on Board His Majesties Ship the *Shark*.

Ordered, That the said Mr. *Auchmuty* be Directed to attend this House to Morrow Morning, to be Interrogated concerning that Affair.

Ordered, That Col. *Dudley*, Major *Stoddard*, and Capt. *Fullam*, be a Committee, to Prepare and Lay before the House a Draught of a Bill, *To Prevent His Majesties Subjects of this Province being forcibly Taken, Carried or Detained on Board any Ship or Vessel*.

A Message sent up to the Board by Col. *Dudley*, and Major *Stoddard*, That the House Desire, if there is any Business ready for them at the Board, it may be sent down; the House having none before them.

And that the last Letter from Mr. Agent *Dummer*, may be sent down.

Mr. Secretary *Willard* brought down the said Letter. Which was Read.

Upon a Motion being made.

Ordered, That Major *Stoddard*, Major *Chandler*, and Capt. *Throop*, be a Committee, to Propose and Lay before the House a Bill for the better Regulation of Swine.

A Complaint and Petition of *Daniel Oliver*, and *William Welsted*, Esqrs. both of *Boston*, Merchants, Complaining of insufferable abuses done by the Men belonging to the *Shark* Man of War, to the Master, and Men of the Brigantine *Elizebeth*, now ready to Sail for *North-Coralina*, whereof they are Owners, as particularly set forth in the said Petition, Praying Relief.

Sent down from the Board, Pass'd on there *viz.* In Council *November 23d 1720*. Read and Voted, That his Excellency the Governour be [40] humbly Requested, to give Orders to the Commanders of His Majesties Castle *William*, not to suffer the *Shark* Frigot, to Pass the said Castle *William*, till Satisfaction be given to the Government upon the matter of this Complaint. Sent down for Concurrence,

Read and Concurred *Nemine Contradicente*.

Sent up by Mr. *John Clark*, Major *Chandler*, Col. *Sumersby*, Capt. *Hale*, and Capt. *Throop*.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Boston in New-England : Printed by **Rich. Boone**, Printer to the Honourable House of **Representatives**. 1720. [41]

VOTES

of the House of Representatives

Tobis 24 Die Novembris. 1720.

MR. *Robert Auchmuty*, in Obedience to the Order of the House, Attended, and was Admitted into the House, and made a full Narrative of the affair, for which he was Directed to Attend the House, and then Withdrew.

Mr. *John Clark*, from the Committee appointed the 10th Currant to receive Information cocerning false Musters, and Propose Expedients to prevent them, Offered their Report, which was Read.

The Report is as follows *viz.*

PURSUANT to the Order and Direction of this House, The Committee have made Inquiry into the State of such Garrisons respecting their Musters, as we could at present get Information about.

And upon Perusing the Muster-Roll of His Majesties Garrison *Fort-Mary*, at *Winter-Harbour*, under the Command of *John Gray*, Captain from *July 1719.* to *July 1720.* The Names of the several Men included therein being distinctly Read over to *William Adams*, late Soldier there, and during that whole time, in which Muster-Roll *Thomas Brown*, was put down for Eleven Weeks and Six Days, *James Lindsey*, Forty Five Weeks Two Days, *James Bennet*, Fifty Weeks Two Days and *William Moxen*, Fifty Two Weeks and One Day, and he Declared neither of the four Persons above named were at the Garison, during the several times they are Entered in the Muster-Roll, and that he knew no such Persons, and the Muster-Roll from *June 1718.* to *July 1719.* being shewed to him the said *Adams*, and the several Mens Names therein distinctly Read over, in which *William Moxen*, was Entered for Fifty Seven Weeks and One Day, *Samuel Bray* Thirty Seven Weeks & Two Days, & *Jacob Ryland*, Forty Three Weeks and Three Days, but that neither of the Persons were belonging to the Garison during the time, of his said *Adams's* being a Soldier there.

Jacob Ryland, Informed that some time in *September, 1718.* he was at *Winter-Harbour*, and Resided at the Fort about Six or Eight Weeks, was Enlisted as a Soldier there, but being out of Employ, he Watched and Warded as others did, it being a time of Danger, and that he Paid Capt. *Gray*, *Four Pounds, Ten Shillings*, for Victuals and Drink and other things, and that Capt. *Gray*, made him an Allowance of *Fifty Shillings*, for Watching and Warding, and the Muster-Roll for the Year 1718. in which *William Moxon*, is put down for Fifty Seven Weeks and one Day, being [42] shewed him, he declared no such Person was at the Fort while he was there, neither doth he know any such Person, and that in

the Years 1718, 1719. *Samuel Bray*, is Entered on the Muster-Roll for Thirty Seven Weeks and Two Days, altho he was there but Three Days as a Member of this House, to whom the said *Bray*, belonged, Informed and Confirmed by the Declaration of *Jacob Rylance*, and yet we find an Order to Mr. Treasurer Signed *Samuel Bray*, and *William Moxon*, to Pay to Capt. *John Gray*, for the time they were on the Muster-Roll, and Capt. *Gray's*, Receipt for the same.

Sergeant *Joseph Chapin*, and *John Larrobee*, Quarter-Gunner, both Soldiers at *Castle-William*, being Examined, declared on Oath, the Muster-Roll's of His Majesties Garrison at *Castle-William*, under the Command of the Honourable *William Dummer*, Esqr. Being shewed them from *October*, 1716. to *December*, 1717. In which Three several Rolls, *Daniel Rulter*, was inserted, and in the whole for Sixty Two Weeks, but he was not there, neither do they know any such Person, and the Roll's in 1717, and 1718. in which *Joseph Russel* was Entered, that in the Summer Seasons of those Years he was off the *Castle Island* for several Months together, and that *Moses Price*, and *David Cane*, were absent the Summer Months, and they further declared, that it has been Customary for several of the Men that were Entered on the Muster-Roll's, to be absent for many Months together in the Summer-time, and *John Cooper*, who is in the Muster-Roll from *Decemb* 1717. to the 14th of *July*, 1720. being asked about him said they knew no such Person.

And upon Examining into the Muster-Roll, of His Majesties Garrison at *Fort-George*, under the Command of *John Gyles*, Capt. from *May* 1719. to *July* 1720. That two or three Retained in Service at that Fort, are not Able Effective Men. We Enquired of Mr. Treasurer *Allen*, concerning the Fifty Men under the Command of Capt. *Samuel Moody*, from *April* last, but find he hath not brought in his Muster-Roll.

And we would further Remind this Honourable House, that many that belonged to the Forces lately sent to the Eastward, are Allowed to come home, and are dismiss the Service, several of them having Paid to their Captain considerable Sums of Money, to Purchase their Liberty, as they have Assured several Members of this House.

WE are therefore humbly of Opinion, that such corrupt Practices, are very disserviceable to the interest of this Government, & as an Expedient, for Remedy thereof do propose: That every Officer, that shall make any false or Untrue Muster-Roll, or that shall Muster any Person by a wrong Name knowingly, shall Forfeit *One Hundred Pounds*, and be displaced from [43] such Office, and that one or more meet Persons be appointed by this House, Clerk of the *Checks*, who shall from time to time have an Inspection into the Forts, Garisons and Forces, and take care that every one have their complement of Men, and the better to Enable him or them to Execute the trust reposed in

them, that when and so often as they shall see reason, the Commanders of the Forts, Garisons, and Captains of any of the Companies in Pay of this Government shall call forth their Men before them, and if any do not appear, the Commanding Officer to give the reason of such absent Men, and that no Muster-Roll shall be Accepted and Paid by the Treasurer, unless approved of, and Signed by the *Clerk* of the *Check*.

And that no Officer shall be allowed to dismiss any one under his Command, and put others in the room thereof but by special Leave or Order from the Captain General, and that then all such as shall be in the room of those dismissed, shall be good Effective able Bodied Men.

And that no Person resident in the County of *York*, shall be received as a Soldier, and put in Pay in the *Eastern Frontiers*.

And that when any Men are to be raised for the service of this Government, that they be Enlisted and not Empressed if they may be so had, and to Encourage all such as shall Enlist themselves, they shall receive such a *premium* as this Court shall appoint.

John Clark, per Order

In the House of Representatives

November, 24th 1720. Read and Accepted.

[44]

Ordered, that the said Report be Accepted, and that Mr. *Cooke*, Capt. *Noyes*, & Mr. *Wilder*, be a Committee, to prepare and Lay before the House a Draught of a Bill agreeable thereunto.

Jonathan Dowse, Esqr. Brought down a Bill, Intituled, *An Act, for Levying of Soldiers*, for Concurrence, Having been there past to be Engrost.

Read a first time.

And the Question being put, *Whether* the said Bill have a Second Reading?

It Pass'd in the Negative.

Capt. *Gardner*, from the Committee appointed the 17th Currant, to go *Nutfield*, and take Account of the Settlements of the People there &c.

Offered a Report, which was Read and Accepted.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Ueneris 25 Die Nobembris, 1720.

A Bill Intituled, *An Act, for Removing the Court of General Sessions of the Peace, and Inferiour Court of Common Pleas, Appointed to be Holden at York, for the County of York, on the First Tusday of October, January, and April; To the Towns of Kittery, Wells, and Berrwick.* Read a first time.

A Bill, Intituled, *An Act for the better Regulation of Swine.*

Read a first time:

A Petition of *Benjamin Robbins*, *John Powen*, and Twenty others, Inhab-

itants of the Towns of *Concord*, and *Clemsford*, Presented to the House, and Read.

Praying, That they may be annexed to the Town of *Littleton*, for Reasons therein Alleadged.

Ordered, That the Petitioners serve the Towns of *Concord*, and *Clemsford*, with a Copy of this Petition, that they may Signify to this House the Reasons, if any they have, on the 2d Friday of the next *May*, Sessions. Why the Prayer of the said Petition should not be Granted.

Ordered, That Major *Stoddard*, and Capt. *Noyes* Go up to the Board, and Enquire, *Whether they have acted any thing since the Hearing had upon the Report of Col. Thaxter, and Col. Dudley, Relating to Province Lands, near Peregrine White's Farm?*

Penn Townsend Esqr. Brought down the following Vote from the Board, *viz.* In Council, *November 25. 1720.*

Ordered, That *William Tailer* Esqr. *Samuel Brown* Esqr. and *Thomas Fitch* Esqr. Be a Committee to joyn with such Persons, as the Honourable House of Representatives shall appoint, to Consider the Paragraph in his Excellency's Speech, Relating to a Prohibition of the Trade with *Cape Breton*; and also to consider of some proper Method of Levying Soldiers for His Majesty's Service.

Sent down for Concurrence. Read and Non-Concurred. [45]

The Bill Intituled, *An Act, To enable Jonathan Page of Grotton, in the County of Middlesex, Husbandman, To Prosecute an Appeal between him, and Nathaniel Sparhawk, of Cambridge, &c.* Sent down from the Board, Concurred with an Amendment. Which was Read. And

Ordered, That the said Amendment be agreed to.

Mr. *Cooke* from the Committee appointed to Consider the State of the Province, with respect to a *Medium* of Trade, offered a Report. Which was Read.

Resolved, That the Treasurer Issue his Warrant to the Assessors, or Select-men of the Town of *Bellingham*, to Assess on the Persons, and Estates, in that Town, the Sum of *Eight Pounds, Seventeen Shillings, and Eight-pence*, in the like proportion, and according to the Rules directed in the Law for this present Year; and that the Town of *Mendon* be abated the Sum of *l. 4—15—5.* part of what the Town of *Bellingham* is to pay above; and that there be abated the Sum of *l. 4—2—3.* from the Town of *Dedham*, being the Remainder of what is above ordered to be paid by *Bellingham*. And that the Treasurer proceed in all respects, in the Gathering in, and Receiving the same, as he does from the other Towns in this Province.

A Message from the Board by Mr. Secretary *Willard*, That his Excellency now Expects this Honourable House to Come up, to attend the Hearing appointed to be this Day, on the Petition of several Inhabitants of the Town of *Swanzey*.

Mr. *Speaker* and the House went up accordingly.

And the Parties being heard, returned again to their own Chamber.

The following Vote sent down from the Board, on their Vote of this Day, Relating to the Paragraph in his Excellency's Speech, for the Prohibition of the Trade with Cape *Breton*, &c. *Viz.*

In Council, *November 25. 1720.* Read, and the Vote of the Board is insisted on, and *Voted*, That a Conference be had between the Board, and the Honourable House of Representatives, on the subject Matter of the said Vote, as soon as may be. Sent down for Concurrence. Read and Non-Concurr'd. And

Ordered, That the said Vote be sent up to the Board with a Message, *viz.* That this House taking it to be their peculiar Care, did yesterday appoint a Committee to draw a Bill, for Levying of Soldiers; And if the Honourable Board will be pleased to send down a Bill on the other head, it shall have its due Consideration in the House.

An Accompt of Capt. *John Gardner*, of his own, and several other Person's Charge, in their going to *Nutfield*, &c. by Order of this House this Session, amounting to *l. 11—8.* Presented to the House for Allowance.

Resolved, That the Sum of *Eleven Pounds*, and *Eight Shillings* be allowed and paid out of the Publick Treasury, to Capt. *John Gardner*, to Discharge the said Accompt. Sent up for Concurrence.

And then the House Adjourned till to Morrow Morning Nine a Clock. [46]

Sabbati 26 Die Nobembris, 1720.

A Petition of *John Prentice*, of *Newton*, Presented to the House & Read *Praying*, Relief out of the Publick Treasury, in Consideration of his being much Disabled from Labour, by several Wounds he formerly received in the Service against the late *Indian* Enemy. Committed.

A Petition of *Daniel Tucker*, Presented to the House, and Read, *Praying*, Allowance towards his Support being Disabled from Labour, by a Wound in the Trunk of his Body, which he received in the Service against the late *Indian* Enemy, not yet cured.

Resolved, That the Sum of *Twenty Pounds*, be Allowed and Paid out of the Publick Treasury, to Sergeant *Daniel Tucker*, the Petitioner for his present Relief.

Upon Reading a Letter from his Honour the Lieutenant Governour, Commander of Castle *William*, Dated *November 25 1720.* Shewing in answer to a Paragraph in the Report of the Committee of this House, relating to False-Musters &c. That it has been accustomed, for the Commander of Castle *William*, to have Three Servants allowed him in the Muster-Rolls &c.

Resolved, That the retaining of Persons on Muster-Rolls, that are absent from, and do not perform the Duty of their Posts, is a practice hitherto unknown to this House, and very irregular.

An Engrost Bill, Intituled, *An Act to Enable Jonathan Page, of Groton, in the County of Middlesex, Husbandman, to prosecut an Appeal between him, and Nathaniel Sparhawk, of Cambridge, and Simon Gates, of Malborough, in the said County of Middlesex, Administrators to the Estate of Stephen Gates Senior, Deceased, and to file Reasons of Appeal in the said Cause in the Clerks-Office of the Inferiour Court of Common-Pleas within the County of Middlesex.* Read and Resolved, That the Bill, do Pass to be Enacted.

A Bill, Intituled, *An Act for removing the Court of General Sessions of the Peace, an Inferiour Court of Common-Pleas, to be Holden at York, for the County of York, on the first Tusday of October, January, and April, to the Towns of Kittery, Wells, and Berwick.* Read a 2d time.

And then the House Adjourned till Monday next, Three a Clock Afternoon.

Boston in New-England : Printed by **Pich. Boone**, Printer to the Honourable House of Representatives. 1720. [47]

VOTES

Of the House of Representatives.

Monæ 28 Die Novembris. 1720. P. 29.

MR. *William Clark*, from the Committee appointed the 23d of *July* last, to Inspect the Accounts of the Commissioners for the *l.* 100000 Loan of Province Bills, and prepare them for the Court to Pass upon, made Report on the Accounts of the Commissioners for the Counties following. *viz.* *Suffolk*, and *Nantucket*, *Essex*, *Middlesex*, *Plymouth*, *Bristol*, *Hampshire* and *York*, which was accepted by the House, with some Amendments, and the said Committee took the said Accounts, to form Votes accordingly.

Whereas divers Persons that have Mortgaged their Estates, and taken up Province Bills, of the Commissioners in the several Counties, for the *l.* 100000 Loan, have neglected to Pay in the Annual Interest, and suffered their Mortgage to be Sued out, and some it's said, have offered to Resign their Title to such their Land, which it is not probable they would have done, if the Lands Mortgaged, had been of double the value the Bills Lent, as the Law directs.

Resolved, That the Commissioners for the said Loan in the several Counties, be and hereby are Directed and Required to accept no Apprizment of Lands, in order to Lett out the said Bills thereon, unless they are duly Certified, and well Assured, that such Select-men made such Apprizment under Oath as heretofore Directed by this Court, and that the said Commissioners strictly inquire into the Title of all Mortgagers to the Lands upon which they Lett out the said Bills, that no Loss accrue to the Province, by insufficient Security.

Sent up for Concurrence.

The following Vote sent down from the Board for Concurrence, *viz.* in Council *November 23d 1720*. Whereas the General Assembly is frequently taken up, in Hearing Petitions of persons Praying for New Tryals of their Appeals to the Superiour Court, having been Non-Pross'd or dismissed upon some mistake committed in their Reasons of Appeal, Recognizances or otherwise; and Providing Remedy in such Cases, and whereas such Applications are sometimes made, and Private Acts obtained, even after the time by Law for Reviews.

Resolved and Ordered, That for the future unless that the Person so failing in his Reasons of Appeal, Recognizances, or Complaint at the Superiour Court, make Application, or bring forward a Petition for Remedy in such Case to the General Assembly of the Province, at some [48] time within Twelve-Months, after the Judgment of the Superiour Court in such Case, He, or They, shall be forever after Debarred, and to be Concluded by the Judgment of the Superiour Court.

Sent down for Concurrence.

Read and Non-concurred.

Mr. *John Austin*, Representative of the Town of *Suffield*, Appeared, and made his Excuse for his Absence this Session till this time.

Ordered, That his Excuse be Accepted.

A Bill, Intitlued, *An Act for Removing the Court of General Sessions of the Peace, and Inferiour Court of Common Pleas, appointed to be Holden at York, for the County of York, on the first Tuseday of October, January and April, to the Towns of Kittery, Wells and Berwick.* Read a 3d time. And

The Question being put, *Whether* the Bill do pass to be Engrost?

It Pass'd in the Negative.

A Message from the Board, by Mr. Secretary *Willard*, That some Affidavits, are about to be taken before his Excellency in Council, relating to the Muster-Roll of Castle *William*, and if the Gentlemen of the Committee of this House relating to Muster-Rolls, will please to be present, they may.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Partis 29 Die Novembris, 1720. A. M.

A Petition of *Benjamin Endicott* of *Topsfield*, presented to the House and Read, *Praying*, That he may be Enabled by an Act of this Court, to Dispose of so much of his real Estate, as is necessary to Discharge his just Debts, and to support himself and Family; an Entail thereon notwithstanding.

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It Pass'd in the Negative.

A Petition of *Gabriel Vernon*, of *New-Oxford*, presented to the House and Read: *Praying*, Confirmation of his Title to 2500 Acres of Land belonging to him, Lying in the said Town. Committed.

A Petition of *William Dudley*, *Robert Spur*, and eight others, Representatives of several Towns in the County of *Suffolk*, presented to the House and Read: *Praying*, That the Country Towns of the said County, may be made a County distinct from the Town of *Boston*, for reasons therein alleadg'd.

Ordered, That the said Petition be Referred to the Session of this Court in *May* next, for further Consideration; and that in the mean time the respective Representatives acquaint their Towns thereof, that their minds may be known therein. [49]

A Petition of *Joseph Morse*, *John Ordway*, and 120 others; Presented to the House and Read: *Praying*, That a Tract of Land of 8 miles square, Lying *Northward* from the Town of *Rutland*, may be Granted to them for a Township, under such Restrictions and Limitations as this Court shall think proper.

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It Pass'd in the Negative.

A Memorial of *Josiah Willard*, Secretary of this His Majesties Province, Presented to the House and Read: Moving, That such Allowance may be made to him, as is equal to the Trust and Importance of his Office; and for several extraordinary Services done for the Publick.

Ordered, That Mr. *John Clark*, Major *Stoddard*, and Mr. *Cooke* be a Committee to consider the subject Matter and Allegations thereof, and Report the same with their Opinion thereon to the House.

Mr. *Cooke* from the Committee appointed, Brought in a Bill, Intituled, *An Act, For Granting unto His Majesty, An Excise upon Wines, Liquors and other strong Drink. Sold by Retail.* Which was Read a first time.

Samuel Sewall, *Penn Townsend*, and *Samuel Partridge* Esqrs. Brought down the following Vote from the Board, viz. In Council, *Novemb. 29. 1720. Voted*, That a Message go down to the House of Representatives, That the Board apprehending that there was a Mistake in the Report made by the Committee of the Honourable House, relating to the Muster-Rolls of Castle *William*, Desire that the said Report as it now stands, may not go into the Print, until the Honourable House have Considered of such Affidavits and Certificates, as have been since produced to the Board. Read.

A Certificate of Capt. *Zechariah Tuthill*, and the Affidavits of *Chapin*, and *Larraby*, relating to the Muster-Rolls of Castle *William*. Read.

Voted, That the House having Considered the Message of the Honourable Board, and the two Affidavits that accompanied it, do not find any mistake in the said Report of the said Committee, or reason that should hinder its going into Print.

An Engrost Bill Intituled, *An Act, To Enable the severall Towns, Precincts, Districts and Parishes legally set off, to Chuse Collectors for the Gathering any Town, County, Precinct, District or Parish's Rates or Assessments.* Read and

Resolved, That the Bill do pass to be Enacted.

The following Message was sent down from the Board yesterday, viz. In Council, *November 28. 1720.* The Board taking notice of an Expression interlined in the Vote of the Honourable House of Representatives, past on *Friday* last, referring to the Levying Soldiers in those words [Taking it to be their peculiar Care] are of Opinion, that all Acts or Laws for the Levying Soldiers, according to the Constitution of this Government by the Royal Charter, are the Care of his Excellency the Governour, Council and Representatives in General Court Assembled, and not peculiar to either House, and therefore desire that those interlined words may be Withdrawn, lest it should be prejudicial to our present happy Constitution. Read and

Voted, That the said Words be withdrawn. [50]

A Memorial of *Jeremiah Allen*, Treasurer. Presented to the House and Read; Requesting Allowance may be Granted to him, to Pay an Assistant to help man-

age the Affairs, relating to the Soldiers, while there is so great a number out, as at this time.

Ordered, That the said Memorial lie on the Table.

A Bill Intituled, *An Act, For the better Regulating of Swine.* Read a 2d time.

A Message from the Board, by *Samuel Thaxter* Esqr. to Inquire, whether the House have Pass'd upon the Message of the Board, relating to a Report of a Committee of this House not being Printed.

Ordered, That a Copy of the above Vote relating thereto be sent up by Capt. *Noyes*, and Capt. *Chapin*.

Post Meridiem.

The Report of the Committee, to Consider the State of the Province, with respect to a *Medium of Trade*. Which was Read the 25th Currant. Read again,
And

Ordered, That the two first Paragraphs of the said Report be accepted; and that Mr. *Cooke*, Mr. *Knowlton*, and Mr. *John Clark*, be a Committee to prepare and lay before the House, a Draught of a Bill pursuant thereto.

A Message from the Board, by Mr. Secretary *Willard*, That Capt. *Tuthill's* Certificate, and the Affidavits of *Chapin* and *Larraby* be sent up.

Sent up by Col. *Dudley*.

A Petition of *Melatiah Bourn*, of *Sandwich*, presented to the House, and Read; *Praying*, that he may be allowed, to purchase of *Nathan Wicket* Indian, and his Wife, a small Island, of about 15 Acres, in *Monument-Bay*; and a small Neck of Land near *Marshpa*, and some Out-Land adjoining to it, of the right *Indian* Owners.

Ordered, That the *Prayer* of the *Petition* be Granted, and that the Honourable *John Otis* Esqr. Col. *William Basset*, and Mr. *Eldad Tupper* be appointed Trustees, in behalf of the *Indians*, to see that Justice be done them in the Sale: And to take care that the Money paid for the Lands, be laid out in other Lands, most accommodable for the *Indian*, and make report of their Doings to this Court.

Sent up for Concurrence.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Mercurii 30 Die Novembris, 1720. A. M.

A Bill Intituled, *An Act, For the better Regulating of Swine.* Read a third time. And Pass'd to be Engrost. Sent up for Concurrence. [51]

A Bill Intituled, *An Act, For Explanation of, and in Supplement to an Act*, Intituled, *An Act for Highways.* Read a 3d time.

And the Question being put, *Whether the Bill do Pass to be Engrost.* It passed in the Negative.

A Petition of *John Thomas, Hugh Cole*, and 62 others, of the Inhabitants of the Town of *Swansey*, presented to the House and Read. *Praying* this Court to Declare such only to have Right to Vote in Meetings, that Concern the said Town, and the Church in it, as are Inhabitants within the ancient Limits of said Town, as settled in the year 1685. for Reasons alleadg'd in the Petition.

Ordered, That the Petitioners serve the Inhabitants of *Shawamet* Purchase, with a Copy of this Petition, that they may be heard before this Court; if they have any thing to object why the Prayer thereof should not be Granted, on *Tuesday*, the 6th of *December* next. Sent up for Concurrence.

Mr. *Cooke* from the Committee appointed, brought in a Bill, Intituled, *An Act, For the Making and Emitting the Sum of l. 100000 in Bills of Credit on this Province, in such manner as in this Act is hereafter Declared*. Which was Read a first time.

Mr. *William Clark* from the Committee appointed, made report on the Petition of *James Ivers, &c.* Rope-makers in *Boston*, That they were of opinion, That a Well-Manufactured Head of Hemp, should be Lodged with the Surveyors of Hemp, by which they should Regulate themselves, and not pass a Certificate on any Hemp for a *Premium*, that is not so well Manufactured; and presented a Head of well Manufactured Hemp for such a Standard.

Voted, That the said Report be accepted, and that the said Head of Hemp be Lodged with the Surveyors of Hemp, to be a Standard, by which they Regulate themselves, so as not to Certifie any Hemp for the *Premium* of the Law, that is not so well Cleansed and Manufactured. Sent up for Concurrence.

James Gregg and *John Morrison*, Inhabitants of *Nutfield*, in Obedience to the Order of this House, of the 17th Currant, made their appearance before the House, in behalf of the said Place, as they said; And were interrogated how it came to pass that they had Settled themselves on those Lands, without Leave obtained from this Court? They answered, That his Excellency the Governour, and the Council could answer to that. And further said, they had Petitioned this Court for Leave to Settle there. But Mr. *Speaker* told them, that their Petition was Rejected.

And being further Interrogated as the House saw cause. They were Ordered to Withdraw.

Ordered, That Mr. *John Clark*, Col. *Dudley*, and Capt. *Gardner*, Go up to his Excellency the Governour, and the Honourable Board, and Inquire, *Whether the Nutfield People had any Countenance from them in their Settlement?* [52]

Post Meridiem.

THE following Vote, Sent down from the Board viz. In Council *November* 30th, 1720.

Ordered, That *Addington Davenport, Thomas Fitch* and *Edmund Quincey*, Esqrs. with such Gentlemen as the Honourable House of Representatives shall

appoint be a Committee, to prepare a Draught of an answer of such Letters from Mr. Agent *Dummer*, as Require an Answer, and of such further Instructions and Representations, as shall be thought necessary from this Court.

Sent down for Concurrence, Read

A Petition of *George Hall, Benjamin Williams* and 20 others Inhabitants of the East-end of *Norton*, *Praying*, That the Report of *John Field, Ephraim Howard* and *John White*, a Committee appointed by this Court, *November, 11th 1717.* to Run a Divisional Line, between the East-end, and the other part of *Norton*, for a Precinct Line, may be confirmed,

Sent down from the Board, Pass'd on there, *viz.* In Council *November 30th 1720.* Read, and whereas the Report of the Committee referred to in this Petition is not accepted. *Ordered*, That *Jacob Tompson Esqr.* with such Persons, as the Honourable House of Representatives shall appoint, be a Committee, to Run the Divisional Line, between the Easterly-end of *Norton*, and the other part thereof conformable to Orders of the General Court, Pass'd, *March 7th 1710.* and *November, 11th 1717.* and make Report to the General Court at the Sessions in *May* next. Sent down for Concurrence, Read and Concurred.

And the Honourable *Samuel Thaxter, Esqr.* and Mr. *Benjamin Crane*, are Joined in the affair.

A Petition of *Samuel Wakefield, of Salem.* Presented to the House and Read. *Praying*, That he may be Enabled to take out an Execution, against *John Todd*, of *Rowley*, for the Sum of *Thirty Pounds* and Costs, in a Case between them &c. which he is now Barred from, to his great wrong (as at large set forth in the said Petition.)

And the Question being put, *Whether* the Prayer of the Petition be Granted?

It Pass'd in the Negative.

A Message from the Board, by Thomas Fitch, Esqr. That the Nutfield, People had made Application to his Excellency the Governour and Council, Relating to their Settlement there, but had received no Incouragement from them thereto.

A Petition of *Nicholas Woodbury, of Ipswich*, Presented to the House and Read, Shewing, That in the Year 1712. He was in the Service against the *Indian Enemy* at the Town of *Wells*, and then and there taken Captive by the said Enemy, and carried to *Canada*, and now after near Nine Years Captivity and great Hardship, Returned home on Saturday last, but was obliged to Pay *Thirty Pounds*, for his Ransom. *Praying*, That he may be allowed Wages durring the time of his Captivity, or otherwise be Considered and Allowed as shall be thought proper.

Committed.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

VOTES

Of the House of Representatives.

Jobis 1 Die Decembris. 1720. A. M.

THe Vote of the Board Entered Yesterday, for a Committee to Prepare an Answer to Mr. Agent *Dummers* Letters &c.
Read, and Non-concurred.

The following Vote sent down from the Board Yesterday, *viz.* in Council November, 30th 1720.

Whereas the Superiour Court of Judicature, Court of Assize, and General Goal Delivery, for the County of Essex, Stands Adjourned to Wednesday the 7th of December next.

Ordered, That the Justices of the said Superiour Court, be Directed to Adjourn the said Court to some further time, that so the Business of the General Assembly may be the better attended. Sent down for Concurrence.

Read and Concurred.

A Bill, Intituled, *An Act, for the Making and Emitting, the Sum of l. 100000 in Bills of Credit on this Province, in such manner as in this Act hereafter is Declared.*

Read a 2d time.

Post Meridiem.

COl. *Dudley*, from the Committee appointed, made a Report on the Grant of Land lately made to the Town of *Lancaster*. Which was Accepted by the House,

And accordingly, a Vote Pass'd as followeth, *viz.*

Whereas the Town of *Lancaster*, by their Petition to the General Court, *Anno* 1702. Requested a certain Tract of Land, Westward of their Town of near Four or Five Miles wide, at the North-end thereof, and so Running to *Nashaway-River*, and the River to be the Bounds, &c. And whereas the Agents for said *Lancaster*, by their Petition *Anno* 1710. Desired of the General Court, that a Committee might be appointed to View the said Land then, and in the aforesaid Year 1702 Petitioned for, and make Report, there being a Committee appointed, who have made their Report, but it being intirely grounded on the information given by *Lancaster* People, who did not truly and fairly Represent their Bounds, or the Lines of their old Township, as appears by the Affidavits of two of that Committee, and the Information of other Persons disinterested.

Resolved, That the North Bounds of *Lancaster*, be Extended Westward on the same point, as the Old Line of said Town runs Four Miles & an half West (this



being the Intent and real Design of the former Committee for View) and that at the end of said Four Miles and half, there be a Corner Erected, &c. right Angle made, and running South, untill the same Line meets the River of *Nashaway*, and then the said River to be the Bounds of this Tract of Land, added and Granted to the said Town of *Lancaster*, this being conformable to their Petition and Purchase for the said Lands, and that any other Bounds or Marks pretended unto, be declared Null and Void, and not according to order and Direction of this Court.

Sent up for Concurrence. [54]

Whereas it appears to this House, that several Families lately arrived from *Ireland*, and others of this Province, have presumed to make a Settlement upon Lands belonging to this Province, lying Westward of the Town of *Haverhill*, which they call *Nutfield*, without any Grant or Leave obtained from this Court.

Resolved, The the said People be warned to move off from said Lands, within the space of Seven Months, and if they fail so to do, that they be Prosecuted by the Attorney General, by Writs of Trespass and Ejectment.

Sent up for Concurrence.

The following Vote Sent down from the Board, *viz.* In Council *November* 30th 1720.

A Hearing being had the 10th Instant, as well upon the Petition and Representation of *Daniel Waldo*, Referring to Two Hundred Acres of Land Hired by him, of the Town of *Dorchester*, and Situate, between the Towns of *Brantry*, *Bridgwater* and *Dorchester*, and lying in the County of *Plymouth*, as upon a Report of *Samuel Thaxter* and *William Dudley* Esqrs. a Committee appointed by the General Assembly at their Sessions in *November* last, to View the Bounds of a certain Farm, Granted by the late Colony of *Plymouth*, to Lieutenant *Peregrine White*, late of *Marshfield*, in the County of *Plymouth* Gentleman, Deceased, *Anno Domini*, 1665. The Assignees or Purchasers of the said *Peregrine Whites*, Farm and Grant being Present, and fully heard as to their Claim or Challenge of Land by vertue of the said Grant, and the several Memorials of the Towns of *Brantry* and *Dorchester*, having been since Read and Considered; and it appearing very plainly that the said Assignees or Purchasers under pretence of the said Grant to *Peregrine White*, which was but for Two Hundred Acres, not onley possess themselves of Six Hundred Seventy Three Acres, there happening to be that Quantity within the Bounds of the said Original Grant. But likewise have unjustly Encroached and Intruded, upon Seven Hundred and Fifty One Acres and one quarter of Land more, next adjoyning thereto, and lying between the Ancient reputed Colony Line, and the present or New Colony Line, as it was stated and Confirmed about Seven Years since. The Figure and Situation of which Two Tracts of Land, is more particularly described and Delineated, in a certain Plat thereof on file, and it appearing that a

considerable part of the said Seven Hundred and Fifty One Acres and one quarter, *viz.* all that part thereof lying Eastward from the Stake and heap of Stones in the Old Colony Line, hath been Granted and Disposed of to the Towns of *Boston* and *Dorchester*, by the General Court of the late Colony of the *Masachusetts*.

Voted and Resolved, That the Old Colony Line, as Described in the afore mentioned Plan *viz.* as far Westward as the Stake and heap of Stones, shall be, and it is hereby Declared to be the Ancient and true Boundary, betwixt the said Grant or Farm of the late *Peregrine White*, and the Adjacent Proprieties of the Inhabitants of *Braintree* and *Dorchester*, and that the Grant and Adjacent Lands so far be Settled, Bounded and Established accordingly; And that the Residue of the Lands to the Westward of the said Stake and heap of Stones, be to the Use of the Province.

Sent down for Concurrence, Read and Non-concurred. [55]

Ordered, That Major *Stoddard*, Capt. *Gardner*, and Capt. *Throop*, be a Committee to Consider the Report of *Samuel Thaxter*, and *William Dudley* Esqrs. and other Papers, relating to *Peregrine White's* Farm and Lands, adjoining to it; and Report to the House, what they think proper for this Court to do thereon.

A Message from the Board, by *Nathaniel Paine* Esqr. To Inquire, Whether this House have Pass'd upon the Vote of the Board, relating to the Answering of Mr. Agent *Dummer's* Letters, &c.

And Mr. *Speaker* acquainted him, that the House had Pass'd a Non-Concurrence thereon.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Ueneris 2 Die Decembris, 1720. A. M.

A Bill Intituled, *An Act, Repealing and Making void the Form of the Writt of Replevin, Directed to, in an Act, prescribing the Forms of Writts or Possession, Scire Facias, and Replevin, made in the Thirteenth Year of the Reign of King William the Third: And Establishing another Form instead thereof, having been pass'd at the Board to be Engrost.*

Sent down for Concurrence. Read a first time.

A Petition of *John Cobbit*, in behalf of himself, and the Heirs of Mr. *Thomas Cobbit*, late of *Ipswich*, Deceased, Presented to the House and Read, *Praying*, This Court to Direct the Renewing the Bounds of a Tract of Land of 500 Acres and 20 Acres of Meadow, Lying near *Haverhill*; formerly Granted and Laid out to said *Thomas Cobbit*; but many of the Bound Marks now lost.

Ordered, That the *Prayer* of the *Petition* be Granted, and that Capt. *John Gardner* Surveyor, be appointed, at the Charge of the Petitioners to renew the Bounds of the said Lands, and make Report to this Court.

Sent up for Concurrence.

A Bill Intituled, *An Act, For the Encouragement of the Fishery, and to prevent the Deserting of such as are Employed on Fishing Voyages*: Being Pass'd at the Board to be Engrost. Sent down for Concurrence. Read a first time.

A Bill Intituled, *An Act, For Granting unto His Majesty, An Excise upon Wines, Liquor, and other Strong Drink. Sold by Retail.* Read a 2d time,

A Petition of *Samuel Bullard*, and four others, Select-men of the Town of *Sherbourn*, and 15 others, principal Inhabitants of the said Town; presented to the House and Read: *Praying*, That a Tract of Land, about 3000 Acres, Lying between a Tract of Land of 7000 Acres, (already Granted to to the said Town, on the West part of the Town of *Mendon*) and *Providence* Line may be Sold to them at such Rates, as shall be judg'd proper, which together with the said 7000 Acres may make a Village.

Ordered, That the said Petition be referred to the Session of this Court in *May* next: And that in the mean time the Town of *Sherbourn* be permitted by a Surveyor and Chain-men under Oath, to take a Plat of the said Land, and Lay the same before this House, at the said Session.

A Petition of *William Taylor*, of *Lynn*, Gentleman, Administrator to the Estate of *Rebecca Taylor*, late of said *Lynn*, Widow, Deceased, *Praying*, That he may be Enabled by an Act of this Court, to Enter two Actions between him and *Christopher Taylor*, of *Boston*, Mariner, at the Inferiour Court of *Common-Pleas*, to be Holden for the County of *Suffolk*, in *January* next, in his Capacity afore-said, wherein he now stands barred in the Law, for reasons set forth in the said Petition.

Sent down from the Board, passed on there, *viz.* In Council, *November 26. 1720.* Read and *Ordered*, That the *Prayer* of this *Petition* be Granted, and that the Petitioners bring in a Bill accordingly.

Sent down for Concurrence: Read and Concurr'd.

Post Meridiem.

The following Vote sent down from the Board, *Viz.*

Question, *Whether by the Law of this Province, for the Relief of poor Prisoners for Debt, a Prisoner that hath obtained a Warrant from the Court of General Sessions of the Peace for his Relief, may be continued in Prison, for any other Debt Contracted before the time of taking the Oath, appointed by the said Law, before a Justice of the Peace, the poor Prisoner for Debt giving in to the General Sessions of the Peace, a List of his Debts, in which the Name of such Creditor is expressed?*

In Council, *December 2d. 1720.* Read and Resolved, That such poor Prisoner for Debt, ought not be Continued in Prison, and that the Law ought so to be understood. Sent down for Concurrence. Read and Concurr'd.

The following Vote sent down from the Board, *viz.* A Question being moved

upon the Paragraph, which relates to the Qualification of Voters in Town-Meetings, in the Act for Regulating of Townships, and Choice of Town-Officers, &c. Made and Passed in the 4th Year of the Reign of King *William* the Third, *Viz.*

Whether the words *Rateable at Twenty Pounds Estate to one single Rate, besides the Poll*, are to be understood as the Qualification of the Freeholders, as well as of the other Inhabitants of Towns, &c.

In Council, *December 1. 1720.*

Resolved in the Affirmative, and that the Law ought so to be understood.

Sent down for Concurrence.

Read and Concurred.

The following Vote sent down from the Board, *viz.*

In Council, *December 2. 1720.*

A Question being moved upon the fifth and sixth Section or Paragraph in the Act, *Directing the Admission of Town Inhabitants*. Made and Passed in the 12th and 13th Years of King *William* the Third. *Viz.*

Whether the words in the fifth Section, *And have not Removed, and become Inhabitants elsewhere*. Do equally refer unto Freeholders, or Proprietors of Lands in Towns, as to those Born, or that have Served an Apprenticeship there.

Resolved in the Affirmative, and that the Law ought so to be understood.

Sent down for Concurrence.

Read and Non-Concurr'd.

A Message from the Board, by *John Wheelwright* Esqr. and Mr. Secretary *Willard*. *Viz.*

His Excellency observing a Mistake in the Votes of this Honourable House, of *November 17.* relating to *Nutfield*, in these words, *And that some time since they have applied to the Government of New-Hampshire, and are made by them a Township*, has directed us to acquaint you, that upon application made to him, and the Government of *New-Hampshire*, That they might be made a Town; his [57] Excellency absolutely refused; giving them for reason, that it was doubtful, in which Province the Lands they were Settled on would fall.

And Col. *Wheelwright* acquainted the House, That he was present when the *Nutfield* People, Address themselves to the Governour and Council at *New-Hampshire*, to be made a Town, and that they were denied.

Ordered, That *William Dudley, John Stoddard, Henry Somersby, Francis Fullam, and John Chandler* Esqrs. with such as the Honourable Board shall appoint, be a Committee, to Prepare and Lay before the Court, a Draught of an Answer to Mr. Agent *Dummer's* Letters, and such further Instructions to him, as they shall now think to be needful.

Sent up for Concurrence.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Sabbati 3 Die Decembris, 1720. A. M.

A Bill, Intituled, *An Act for the Making and Emitting the Sum of One Hundred Thousand Pounds, in Bills of Credit on this Province, in such manner as in this Act hereafter is Declared.*

Read a 3d time, And Pass'd to be Engrost.

The Petition of *John Prentice*, Praying as Entered the 26th Currant, further Considered, and Col. *Dudley*, from the Committee offered a Report thereon, which was accepted by the House, and accordingly

Resolved, That the Sum of Six Pounds, be Allowed and Paid out of the Publick Treasury to *John Prentice*, the Petitioner for his Relief.

Sent up for Concurrence.

The Petition of *Gabriel Bernon*, Praying as Entered the 29th of the last Month further considered, and Col. *Dudley*, from the Committee to whom it was Referred, made Report thereon.

Which was accepted by the House, and accordingly

Ordered, That the Petition be Dismist, the Petitioner having his Remedy in Law to Recover his Right.

The Petition of *Nicholas Woodberry*, Praying as Entered the 30th of last Month, further considered, and Col. *Dudley*, from the Committee made Report thereon, Which was accepted by the House, and accordingly

Resolved, That the Sum of Sixty Pounds, be allowed and Paid out of the Publick Treasury, to *Nicholas Woodberry*, the Petitioner in consideration of the great damage he has suffered by his Captivity, being in the Service when he was Taken. And that he may be Recommended and Improved, as an Interpreter of the *Indian Language*, as there may be occasion. Sent up for Concurrence.

A Bill Intituled, *An Act, to Enable Ebenezer Newell, of Roxbury, in the County of Suffolk Husbandman, to Enter and Prosecute an Appeal, by him [58] made from a Judgment given against him, at the Court of General Sessions of the Peace, Holden at Boston for the County of Suffolk, on the fifth Day of April last, at the Court of Assize and General Goal delivery, the first Tuesday of May next, having been Pass'd at the Board to be Engrost.* Sent down for Concurrence.

Read Three several times, and Pass'd a Concurrence.

A Bill, Intituled, *An Act for the Encouragement of the Fishery, and to prevent the Desertion of such as are Employed on Fishing Voyages.* Read a 2d time.

A Petition of *Joseph Vaughan, John Bennet and Jacob Tompson*, Select-men of the Town of *Midleborough*, Presented to the House, and Read,

Praying, That such of the Inhabitants of the said Town, as have (with part of *Taunton*,) been set off a distinct Precinct, may be obliged to Pay to the Maintenance of the Ministry at *Midleborough* as formerly, untill they procure a Minister in the said Precinct.

Ordered, That the said Petition be referred to the next *May* Session, for further consideration.

An Engrost Bill, Intituled, *An Act for the better Regulating of Swine*. Read and *Resolved*, That the Bill do Pass to be Enacted.

A Petition of Col. *Edmund Goff*, Presented to the House, and Read, *Praying*, That a Judgement Entered up against him as Principal for *l. 1000* and against his Sureties for *l. 500* each upon a Recognizance, in the Inferiour Court of Common Pleas, Holden in the County of *Middlesex*, may be Vacuated both as to himself and his Sureties, for Reasons in the said Petition alledged.

Committed.

A Petition of *John Foster*, in behalf of Col. *Joseph Whipple*, Capt. *Samuel Comestock*, *William Jencks*, and others, presented to the House and Read: *Praying*, That a Surveyor may be appointed, to Measure the Town of *Mendon*, according to their Original Grant, that it may be known, whether certain Lands laid out to them (concerning which this House pass'd a Vote the 30th of *November*, 1719.) Lye within the said Township or no.

Ordered, That the said Petition be referred to the next *May* Session, for further Consideration; And that the Representative of the Town of *Mendon* acquaint the said Town with the Prayer of the said Petition.

A Bill Intituled, *An Act, Repealing and Making void the Form of the Writt of Replevin*, &c. Read a 2d time, and Pass'd a Concurrence, that the Bill be Engrost.

A Bill Intituled, *An Act, In Addition to an Act*, Intituled, *An Act, Impowring Justices of the Peace to decide Differences, not exceeding Forty Shillings*. Read a first time.

And then the House Adjourn'd till Monday next, Three a Clock Afternoon.

Boston in New-England : Printed by **Jich. Boone**, Printer to the Honourable House of Representatives 1720. [59]

VOTES

Of the House of Representatives.

Luna 5 Die Decembris. 1720. P. M.

MR. Cooke, from the Committee Appointed brought in a Bill Intituled *An Act, Prohibiting the Selling, Buying, Uttering or Exchanging Silver Money, at greater, or higher Rates than they were Sett at and Ascertained by an Act of Parliament, Intituled An Act, for Ascertaining the Rates of Foreign Coin, in Her Majesties Plantations in America,* Which was Read a first time.

A Bill, Intituled *An Act, In addition an Act, Intituled, An Act, Impowering Justices of the Peace to Decide Differences not exceeding Forty Sillings.* Read a 2d & 3d time. And the Question being put, *Whether the Bill do Pass to be Engrost.* It Pass'd in the Negative.

A Bill Intituled, *An Act, For Dividing and Apportioning some part of the Land lying and being in the Tract of Land, formerly called the Massachusetts-Bay, & the Lands lying and being in the Trast of Land formerly called the Province of Maine, and not included within any of the Townships, or belonging to any private Person or Persons, by or under any Grant, or Estate duly made or granted by any General Court, or by any other lawful Right or Title whatsoever.* Read a first time.

An Engrost Bill Intituled, *An Act, Repealing and making void the Form of the Writt of Replevin, Directed to, in an Act, Intituled, An Act, Prescribing the Form of Writts for Possession, Scire Facias, and Replevin, and Establishing another Form instead thereof.* Read and

Resolved, That the Bill do pass to be Enacted.

An Engrost Bill, Intituled, *An Act, To Enable Ebenezer Newell, of Roxbury, in the County of Suffolk, Husbandman, to Enter and Prosecute an Appeal by him made from a Judgment given against him at the Court of General Sessions of the Peace, Holden at Boston, for the County of Suffolk, on the fifth Day of April last, at the Court of Assize, and General Goal-Delivery, to be holden at Boston, for the said County of Suffolk, on the First Tuesday in May next.* Read and

Resolved That the Bill do pass to be Enacted.

And then the House Adjourned till to Morrow Morning Nine a Clock. [60]

Partis 6 Die Decembris, 1720. A. M.

AN Account of the charge of the Committee and Surveyors, sent by Order of this Court, the 22d of July last, to Run & Mark the Lines of the late Grant of Land made to Lancaster, Signed *William Ward,*
Presented to the House for Payment, amounting to the Sum of l. 8 18 o.

Resolved, That the Sum of *Eight Pounds, & Eighteen Shillings*, be Paid by the Town of *Lancaster*, to Capt. *Peter Rice*, to Discharge the said Accompt.

Sent up for Concurrence.

A Bill, Intituled *An Act, Prohibiting the Selling, Buying, Uttering or Exchanging, Silver-Money, at greater or higher Rates, then they were Set at, and Ascertained by an Act of Parliament, Intituled, An Act, for Ascertaining the Rates of Foreign Coin in Her Majesties Plantations in America.*

Read a 2d and 3d time. And Pass'd to be Engrost.

Sent up for Concurrence, Together with the Bill, Intituled *An Act, for the Making, and Emitting the Sum of l. 100000. in Bills of Credit on this Province &c. by Col. Dudley, Mr. William Clark, Capt. Gardner, Col. Somersby and Major, Chandler.*

A Report Signed *Samuel Patridge, Samuel Porter, John Stoddard and Henry Dwight*, Committee for *Northfield*, made Pursuant to the Vote of this House, Pass'd *November, 28th 1719*. Relating to the Right of the Heirs, of *Thomas Wells*, late of *Deerfield* Deceased, to Lands in *Northfield*.

Presented to the House and Read, Shewing that they are of Opinion, that if the said *Wells*, ever had a Right of Land in *Northfield*, that the same is forfeited, for Reasons they render in the said Report.

And the Question being put, *Whether it appears to the House, that the said Well's Right has been forfeited?* It Pass'd in the Negative.

Mr. Cook, Representative of the Town of *Tiverton*, made his Appearance in the House, and was sent up to the Board to be qualified, by taking the Oaths &c.

A Message from the Board by *John Wheelwright Esqr.* That *Mr. Jordan*, who was sent to *Col. Walton*, with Letters respecting the *Eastern Indians*, is Returned, and brought an Account of a Conference, which the said *Walton*, with other Commissioners had with the said *Indians* at *George-Town*, on *Arrowsick-Island*, which Account he left.

A Bill, Intituled *An Act, for Granting unto His Majesty, an Excise upon Wines, Liquor and other Strong Drink Sold by Retail.* Read a 3d time.

Ordered, That the said Bill be referred to the next *May*, Session.

Post Meridiem.

A Memorial of *Thomas Newton*, Comptroller of His Majesties Custom, for the Port of *Boston*. Presented to the House and Read, Requesting that the Fees of the said Officer may be augmented, for Reasons set forth therein.

Committed. [61]

An Accompt of *Samuel Thaxter, John Chandler, and Jonathan Remington*, for their Service as a Committee appointed by this Court, to Run the Lines of

White-Hall Farm, and Shrewsbury, which they performed in July, 1717. Amounting to the Sum of Twelve Pounds. Presented to the House for Payment.

Resolved, That the Sum of Twelve Pounds be paid to the Honourable Samuel Thaxter Esqr. to Discharge the said Accompt; That is to say, l. 5—10— out of the Province Treasury, their Charge in Running the Lines of Shrewsbury, and l. 6 10.— To be paid by Joseph Buckminster Esqr. for their Service in Running the Lines of White-Hall Farm, which the said Buckminster agreed to Pay.

Sent up for Concurrence.

An Accompt of *John Marion*, of Provisions sent to the Province Hospital, on *Spectacle-Island*, the last Month, amounting to l. 4—2—3— Presented to the House for Payment.

Resolved, That the Sum of Four Pounds, Two Shillings and Three-pence be allowed and paid out of the Publick Treasury, to Mr. John Marion, to Discharge the said Accompt. Sent up for Concurrence.

An Accompt of *Samuel Jordan*, of his Charge in attending the Service he was lately sent upon by the Government, relating to the *Eastern Indians*.

Presented to the House for Payment. Read and Committed.

A Message from the Board, by Mr. Secretary *Willard*, That the House were come up to attend the Hearing appointed to be this Day, upon the Petition of *John Thomas, &c.* Inhabitants of the Town of *Swansey*.

Mr. *Speaker* and the House went up accordingly: And when both Parties had been heard by their Council learned in the Law, they Returned again to their own Chamber.

A Bill Intituled, *An Act, To Enable William Taylor, of Lynn, in the County of Essex, Gentleman, as he is Administrator to the Estate of Rebecca Taylor, late of Lynn, aforesaid, Widow, Deceased, to Enter two several Actions, at the next Inferiour Court of Common Pleas, to be Held for the County of Suffolk, on the first Tuesday of January next, against Christopher Taylor, of Boston, in the said County of Suffolk,, Mariner, &c.* Having been passed at the Board, to be Engrost.

Sent down for Concurrence. Read a first time.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 7 Die Decembris, 1720. A. M.

A Bill, Intituled *An Act, for Dividing and Apportioning some part of the Land lying and being in the Tract of Land, formerly called the Colony of the Massachusetts-Bay, and the Lands lying and being in the Tract of Land, formerly the Province of Main, and not Included within any of the Townships, or belonging to any private Person or Persons, by or under any Grant, or Estate, duly made or Granted by any General Court, or any other Lawfull Right, or Title whatsoever.*

Read a 2d time and,

Ordered, To lye upon the Table till next May Sessions.

Major *Stoddard*, from the Committee appointed on the Report of *Samuel* [62] *Thaxter*, and *William Dudley* Esqrs. concerning the Lands adjoining to *Peregrine Whits* Farm, and the other Papers relating thereto, which was accepted by the House, and the following Vote Pass'd agreeable thereto.

viz.

A Hearing being had the 10th. of *November* last, as well upon the Petition & Representation of *Daniel Waldo*, referring to two Hundred Acres of Land hired by him of the Town of *Dorchester*, and situate between the Towns of *Brantrey*, *Bridgewater* and *Dorchester*, & Lying in the County of *Plymouth*, as upon a Report of *Samuel Thaxter* & *William Dudley* Esqrs a Committee appointed by the General Assembly, at their Sessions in *November* 1719. to view the bounds of a certain Farm, granted by the late Colony of *New-Plymouth*, to Lieutenant *Peregrine White*, late of *Marshfield*, in the County of *Plymouth*, Gentleman, Deceased, *Anno Domini* 1665. the Assignees or Purchasers of the said *Peregrine White's* Farm and Grant, being present and fully heard as to their Claim or Challenge of Land, by virtue of the said Grant, and the several Memorials of the Town of *Dorchester*, and divers Inhabitants of *Brantrey*; the Assignees of the Town of *Boston* having been since Read and Considered; and it appearing that this Court did in the year 1637, and 1638. Bound the Town of *Dorchester*, and the Grant made to the Town of *Boston*, of Lands at Mount *Wooliston*, on *Plymouth* Bounds, which Bounds or Line was ascertained in the year 1664. by Commissioners appointed by the Governments of the *Massachusetts-Bay*, and by them run from the middle of *Accord-Pond*, to a stake and heap of stones by the path that leads from *Brantrey* to *Bridgewater*; agreeably thereto, the Towns of *Dorchester* and *Boston*, or their Assignees did in or about the year 1684. purchased the Native Right full up to the Line run as aforesaid, which Line hath been reputed to the Bounds of the said Grants for about fifty six years last past.

Wherefore

Resolved, That the said Old Colony Line be, and hereby is Declared to be the Southwardly Bounds of the Town of *Dorchester*, and of the Grant made to the Town of *Boston*; and that the Lands lying between the old Colony Line Southwardly, and the New Colony Line Northwardly, from the dividing Line, between *Boston* Grant and *Weymouth* Eastwardly, and the stake and heap of Stones Westwardly, be, and hereby is Confirmed to the Town of *Dorchester*, and the Assignees of the Town of *Boston* respectively.

Provided it Interfere not on any former Grant; and that the residue of the Lands to the Westward of the said Stake and heap of Stones [63] be to the use of the Province, and that the Honourable *Samuel Thaxter*, *Robert Spur*, and *John Quincey*, Esqrs. be and hereby are appointed and fully Impowered to make Sale of the said Lands, at the best Rate they can; Return the Pro-

duce thereof into the Treasury; and make Report of their doings to this Court:

Sent up for Concurrence.

Col. *Dudley* from the Committee, made Report on the Accompt of *Samuel Jordan*, Committed yesterday, which was accepted by the House, and accordingly

Resolved, That the Sum of *Twenty Two Pounds, Three Shillings* and a *Peny*, be allowed and paid out of the Publick Treasury, to Mr. *Samuel Jordan*, to Discharge the said Accompt. Sent up for Concurrence.

A Bill Intituled, *An Act, For the Encouragement of the Fishery, and to Prevent the Deserting of such as are Employed on Fishing Voyages.*

Read a 3d time.

And the Question being put, *Whether the House Concur with the Board, that the said Bill be Engross'd.* It pass'd in the Negative.

A Message sent up to the Board, by Mr. *John Clark*, and Col. *Somersby*, to Inquire, Whether the Board have Pass'd on the Vote of this House, for remedying the Grievances of the People of the Town of *Salisbury*, by the Constables of *Hampton*, Distraining upon them for Taxes.

And on the Vote relating to *Nutfield*.

A Message from the Board, by Mr. Secretary *Willard*, That they have Referred the Consideration of the Vote, relating to *Nutfield*, to the next *May* Session: And that by Order of his Excellency the Governour, he had written to the Lieutenant Governour of *New Hampshire*, to take care, that what has been Distrained for Taxes, be Restored to the *Salisbury* People, and to prevent the like for the future.

Ordered, That Col. *Dudley*, Capt. *Noyes*, and Capt. *Throop*, Go up with a Message to the Board, desiring them to Pass upon, and Concurr the Vote of this House, for remedying the said Grievances of the *Salisbury* People.

A Bill Intituled, *An Act, To Enable William Taylor, of Lynn, in the County of Essex, Gentleman, as he is Administrator to the Estate of Rebecca Taylor, late of Lynn aforesaid, Widow, Deceased, to Enter two several Actions at the next Inferiour Court of Common Pleas, to be held for the County of Suffolk, on the First Tuesday of January next, against Christopher Taylor, of Boston, in the said County of Suffolk Mariner &c.* Read a 2d and 3d time and Pass'd a Concurrence.

A Report of *Isaac Winslow*, in the Name of the Committee appointed the 19th of *November* last, to Consider of, and Report the most proper bound Line between the East and West Precincts in the said Town, &c. Sent down from the Board, pass'd on there, viz. In Council, *December 7th 1720.* Read and accepted, and

Ordered, That *Samuel Thaxter* Esqr. be desired to Run the said Divisional Line, according to the Report, at the charge of the Town of *Watertown*. Sent

down for Concurrence Read and Concurred with an Amendment, *viz.* And that the Western Precinct shall pay their proportion of the same Sum, to the Removing, or Re-building of the East Meeting-House (when it is done) as shall be paid for the Removing, or Rebuilding of their Meeting-House. [64]

Post Meridiem.

A Petition of *Zacheus Mayhew* and *Ebenezer Allen*, Select-men of the Town of *Chilmark*, and of *Jabez Athearn* and *Samuel Lock*, Select-men of the Town of *Tisbury*, Presented to the House and Read.

Praying, That a Committee may be appointed at their charge, to go to *Martha's Vineyard*, View the Situation and Circumstances of the Towns there, and Report which Town they think is most proper for the Courts to be Held at.

And the Question being put, *Whether the Prayer of the Petition be Granted?*

It Pass'd in the Negative.

A Message Sent up to the Board, by Mr. *John Clark* and Capt. *Gardner*, to Inquire *Whether the Board has Pass'd upon the Vote of this House of the 4th of November last, for Sending the Sheriff of the County of York, to fetch Monsieur Rallee, the Jesuite from Norridgawog.*

A Bill, Intituled *An Act, to Prevent the carrying on an Illegal Trade to Cape Breton, alias Lewis-Bourg, near the Gulph of Saint-Lawrence, having been Pass'd at the Board to be Engröst.*

Sent down for Concurrence. Read a 1st and 2d time.

A Message Sent up to the Board by Capt. *Fullam* and Col. *Spur*, That there is no business lying before this House, desiring if there is any ready to come down from the Board, that it may be sent, and that the business may be so dispatch, that the Court may Rise this Week if it may be.

Samuel Partridge, Esqr. Brought down the Vote of this House, of the 4th of *November* last, Requesting his Excellency the Governour, with advice of the Council, to take Effectual Methods to Remove Mousieur *Rallee*, the Jesuit out of this Province. Concurred.

And the Vote of this House, of the same Date, for sending Sheriff *Leighton*, with 150 men to *Norridgawog*, to fetch the said Jesuit. Non-Concurr'd.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

VOTES

Of the House of Representatives.

Tobis 8 Die Decembris. 1720. A. 19.

THe Petition of *Edmund Goffe*, which was Committed the 3d. current, Read again, and the Report of the Committee thereon made by Col. *Dudley*, which was accepted by the House, and accordingly

Ordered, That the Prayer of the Petitioner be Granted, and that the Judgment on the Bond of the Petitioner & his Sureties, be Enter'd up Satisfied, the Petitioner having accounted with the Treasurer, Sent up for Concurrence.

The Memorial of *Thomas Newton*, Praying as Entred the 6th Current, further considered, and the Report of the Committee thereon, which was accepted by the House, and accordingly

Ordered, That the Memorial be dismiss.

A Petition of *Samuel Partridge*, in behalf of *John Bell*, who was accidentally wounded while he was in the Service, in the late War with the *Indians*.

Praying, That the Sum of *l. 24 o o.* may be allowed out of the Publick Treasury, to Pay the charge of his cure.

Sent down from the Board, Read and Recommended.

Read and Committed.

The Memorial of Mr. Treasurer *Allen*, moving as Entered the 29th of *November* last, Read again and

Ordered, That the said Memorial be Referred to the Sessions of this Court in *May* next, for further consideration.

A Bill Intituled, *An Act, to Prevent the carrying on an Illegal Trade to Cape Breton, alias Lewis-burgh, near the Gulph of St. Lawrence.*

Read a 3d time, and Non-concurred.

WHereas this House on the 4th of *November* last, past a Resolve in the words following *viz.*

Resolved, *That it is derogatory to His Majesties Honour, and very injurious to this Province, that Monsieur Ralle, a French Jesuit and Missionary, should in defiance of the Law, Reside in any part of this Province, which we are informed he now does as an Incendiary among the Indians at Norridgawog, which Resolve was Concurred by the Honourable Board the 8th of the same Month. And whereas by Affidavits since come to hand, it further appears that the said Monsieur Ralle doth still persist to Instigate and Encourage the [66] said Indians to commit many grievous abuses and Insults, upon His Majesties Subjects residing in the Eastern*

parts, which if not prevented, will in a short time necessitate the Inhabitants there to draw off, to the dishonour of the Government, and the unspeakable loss of the poor People there.

Resolved, That a Warrant be directed to Captain *John Leighton*, High-Sheriff of the County of *York*, Requiring him with one Hundred good effective Men, under suitable Officers attending him, to go up to *Norrigawog*, and Arrest the said Monsieur *Ralle*, and him convey to *Boston*, and there render him to Justice. The said Men to be well furnished with all necessaries for the Journey, and have the Province pay while they are out, and in case they succeed, and bring the said Monsieur *Ralle* to *Boston*, That there be Paid out of the Publick Treasury, the Sum of *Five Huudred Pounds*, as a Gratuity to be distributed among them.

And be it further *Resolved*, That a Missionary be sent to Instruct the *Kennebeck Indians*, in the Christian Religion, and that he be allowed the Sum of *One Hundred and Fifty Pounds, per Annum*, for that Service.

Sent up for Concurrence.

Upon a Motion being made, the House Prepared and brought in their Votes, to chuse a Minister, to Preach before this Court, on the next Anniversary Day of Election of Counsellors.

And the Votes being sorted and numbered, It appeared that the Reverend Mr. *Samuel Moody*, of *York*, was Chosen to that Service.

A Message sent up to the Board by Mr. *Knowlton*, and Mr. *Foster*. to Acquaint his Excellency, and the Honourable Board with the said Choice.

A Report Signed *Samuel Thaxter*, *Jonathan Remington*, and *Francis Fullam*, a Committee appointed the 23^d of *October* 1717. to consider how much the Town of *Westborough* should Pay, for a Tract of Land Granted to them, supposed to be about 3000 Acres. Presented to the House and Read.

Ordered, That the Report be so far accepted, that the Inhabitants of the Town of *Westborough*, Pay in to the Province Treasurer, for the Use of the Province, the Sum of *Eighty Pounds*, in four equal Payments, viz. *l. 20* on or before the first day of *January* next. *l. 20* on or before the first day of *June* next, *l. 20* on or before the first day of *June* 1722. And *l. 20* on or before the first day of *June* 1723. In consideration of the Tract of Land mentioned in the said Report.

Sent up for Concurrence.

Ordered, That *Samuel Thaxter*, *Jonathan Remington*, and *Francis Fullam*, Esqrs. the Committee appointed by this Court *October* 31st 1717. to lay out and dispose of the Lands called *Shrewsbury*: Be directed to Pay in the Money or Bills, they have or shall Receive for the same to the Province Treasurer, taking his Receipt.

Sent up for Concurrence.

A Message to the Board by Mr. *John Clark*, Mr. *Knowlton*, and Mr. *Foster*, to inquire, *Whether they have Pass'd on the Bill for Emitting One Hundred Thousand Pounds in Bills of Credit.* [67]

And on the Bill Prohibiting the Uttering of Silver Money, at lower Rates than Limited by Act of Parliament.

Who Returned, That the Board informed them they were both Non-concurred.

Post Meridiem.

A Message from the Board by *Penn Townsend* Esqr. to Inquire what is done on the affair of Levying Soldiers, which a Message from this House several Days since, intimated was in hand.

Mr. *Cooke*, made the following Motion, *viz.* The Committee appointed to prepare a Bill to prevent false Musters &c. Being not sufficiently acquainted with the Rules, & Practices of His Majesties Garisons and Forces, nor even with the Custom & Usage of Castle *William*, and the other Garisons and Forces in the Pay of this Government: Should they therefore Draught a Bill, for the end aforesaid, they may insert some things therein that may not be consonant to, but probably very different from those Practices and Customs, and therefore Pray the Advice and Direction of this Honourable House, what Articles or Heads they design to have put in the Bill.

Upon Reading whereof a Debate ensued, wherein the House discovered their mind in the said affair.

The following Vote sent down from the Board, *viz.* In Council *December 8th*, 1720. A hearing being had on *Tuesday* last, between *John Thomas*, *Hugh Cole*, *Joseph Butterworth*, and Sixty one more of the Inhabitants of *Swanzy*, belonging to the Western Church, commonly called Elder *Luther's* Church, on the one part; and the Inhabitants of *Shewamet*, with several others belonging to the Eastern Church in *Swanzy*, and called the Separate Baptist Church. It appearing to this Court that the Western Church in *Swanzy*, whereof Mr. *Ephraim Wheaton* is the present Elder or Ministerial Officer, had many Rights and Priviledges with respect to Religion and Ecclesiastical affairs, Granted by the Government of the late Colony of *New-Plymouth*, unto their Predecessors the Reverend Mr. *John Miles*, Capt. *Andrew Willit*, & others that first Settled themselves, & a Church in *Swanzy*, & which Ecclesiastical Rights & Priviledges ought to be, and hereby are Secured to the said Western Church, they observing the Foundation Articles of the said first Church.

Voted, That when and so often as the said Western Church, shall have occasion for and proceed to Chuse a Minister, Elder, or other Church Officer that none of the Inhabitants of, or within the Bounds of *Shewamet*, within the Township of *Swanzy*, other than such as are Members of the said Western Church, shall have a Vote in such Choice or Election.

Sent down for Concurrence.

Read and Non-Concurr'd.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 9 Die Decembris. 1720. A. M.

O*rdere*d, That Major *Stoddard*, Col. *Dudley*, and Capt. *Throop*, be a Committee to Consider the Petition of *John Thomas, &c.* of *Swansey*, and the Papers relating thereto, and Report what they think proper for this Court to pass thereon.

Resolved, That the Treasurer be, and hereby is Directed to Issue forth, and [68] Emit the Sum of *Ten Thousand Pounds*, of the Bills of Publick Credit, that are, or shall be received into the Treasury, for payment of the Publick Debts of the Province already Contracted, for the Defence and Support of the Government, and the necessary Protection and Preservation of the Inhabitants of this Province; and for the Forts and Garisons, and Wages arising for their Service; for Payment of Grants, Salaries, and Allowances made, or to be made by this Court, according to such Draughts as from time to time shall be made upon him by Warrant, or Order of the Governour, or Commander in Chief for the time being, by and with the Advice and Consent of the Council; and the said Bills shall Pass out of the Treasury at the Value expressed in them, equivalent to Money, and shall be so taken and accepted in all Publick Payments.

And that the Duties of Impost and Excise, shall be a Fund, and Security for the Repayment and Drawing of the said Bills into the Treasury again, so far as that will reach.

And as a further Fund and Security for the same, *It is further Resolved*, That there be, and hereby is Granted unto His Most Excellent Majesty, to the Ends & Uses as aforesaid, a Tax of *Ten Thousand Pounds*, to be Levied on Polls and Estates, both Real and Personal, within this Province, according to such Rules, and in such Proportion upon the several Towns and Districts within the same, as shall be agreed on, and ordered by the Great and General Court or Assembly of this Province, at their Sessions in *May, Anno 1725.* and paid into the Treasury on or before the last Day of *December* next after.

And whereas through the scarcity of Bill of Credit, it grows difficult for Persons, to Convert the Produce of their Lands and other Effects into Bills, and to Pay their Rates in them.

It is further Ordered, That the Inhabitants of this Province, shall have liberty (if they see fit) to pay the several Sums that shall be on them respectively Assessed, in the several Species hereafter mentioned, at such Rates and Prices as the General Assembly shall set them, *viz.* In good Barrel Beef, or Pork, or in Wheat, Peas, Barley, Rye, Indian Corn, Oats, Flax, Hemp, Bees-wax, Butter in Firkins, Cheese, Hides, Tann'd Leather, Dry Fish, Mackeril in Barrels, Oyl, Whalebone, Bayberry-wax, or Tallow. Which Species shall be received by the Treasurer, of the several Constables or Collectors, and be by him disposed of to the best advantage, for the Calling in of the said Bills into the Treasury. And if any Loss by

the Sale of the aforesaid Species, or by any other unforeseen accident shall arise: Then such Deficiency shall be made good by a Tax of the year next following, so as fully and effectually to Call in the whole of the said Sum of *Ten Thousand Pounds* of Bills Emittid as aforesaid. Sent up for Concurrence.

Mr. *Cooke* from the Committee appointed, made Report on the Conference of Col. *Walton*, &c. Commissioners, with the *Eastern Indians*, at *George-Town*, on *Arowsick-Island*, which was accepted by the House, and accordingly the following Vote pass'd, viz. This House having Read over the Orders of this Court, the ninth of *November* last, to *Shadrach Walton* Esqr. Capt. *Samuel Moody*, *John Penhallow* Esqr. Capt. *Johnson Harman*, and Capt. *John Wainwright*; as also the Proceedings had thereon, under the hands of *Shadrach Walton*, and *Samuel Moody*, only *Johnson Harman* and *John Wainwright* being present as the other two Gentlemen Certify.

Resolved, That the aforesaid Gentlemen have not attended those Orders given them; the chief, if not only things required and expected from them, was to acquaint the *Indians*, that the General Court was then Sitting in *Boston*, and that [69] therefore they were forthwith to send their Messengers thither, and render to the Court, why they had broken their solemn Promises, and account for their repeated Insults on the *English*, and make Restitution for the Wrongs done, &c. But instead of following this plain, short positive Direction, they have presumed to Enter into a Treaty with those *Indians*; and have brought the *Indians* by their Chiefs, into such Terms as they thought meet; by which indirect steps, they have in a great measure prevented the firm Resolutions of this Court, to bring those *Indian Salvages* into a more becoming Behaviour, and obliging them to make full satisfaction for the past Injuries, by such proper courses, as the General Court in their Wisdom should Conclude to be most Honourable, and best conducing to the Interest of this Province.

And in the close of the Treaty, tell the *Indians*, if they think they can make their Terms easier with the Government than with them, they may go to *Boston* if they please.

And inasmuch as the Gentlemen that managed that Business, not regarding the Trust and Confidence reposed in them by this Government, in acting so contrary to what might have justly been expected from them; That therefore they be required to send to the Secretary under their Hands, the Reasons and Inducements that led them into the Treaty and Terms agreed upon by them; it being neither for the Honour or Interest of this Government, to have Persons retained in their Pay and Service, that have no Regard to the Orders of the Government; and until they comply therewith, they receive no Pay or Wages from the Treasurer for their present Service. But inasmuch as they Represented themselves, as Commissioned by this Court, to Treat & Agree with the *Indians*, That what they have agreed with them, shall notwithstanding Subsist and be

Allowed, Provided that the *Indians* duly comply with what is Stipulated on their part. Sent up for Concurrence.

Ordered, That Capt. *Noyes*, Major *Quincey*, Capt. *Gorham*, and Capt. *Throop*, go up to the Board, and Inquire, *Whether they have Pass'd on the Vote of this House*. Sent up last, for the Seizing of Monsieur *Ralle*, the Jesuit.

Major *Stoddard* from the Committee appointed, made Report on the Petition of *John Thomas*, &c. of *Swanzy*, which was accepted by the House; and accordingly the following Vote Pass'd, *viz.* A Hearing having been had on *Tuesday* last, on this Petition; and it not appearing that the Tract of Land, called *Shewamet*, was ever included in, or annexed to the Town of *Swanzy*, by any Act of the Government of the late Colony of *New-Plymouth*, or of this Province; but on the contrary, in a Printed Act of the said late Colony, Constituting the County of *Bristol*; *Shewamet* is enumerated distinct from *Swanzy*, and the said Town of *Swanzy* is said to be Bounded on *Shewamet*, in an Order of Court in said Colony, *Anno* 1685.

Resolved, That the Prayer of this Petition be so far Granted, as that the Inhabitants of *Shewamet* be, and hereby are Declared to have no Right to Vote, or Intermeddle in the Affairs of the Town of *Swanzy*. And that all Acts and Transactions heretofore made, or done by any Town or Proprietors Meeting in the Town of *Swanzy*, including the Proprietors of *Shewamet*, shall be good and effectual, and that all Rates and Dues levyed, or to be levied this present year, by the present Town Officers, shall be accordingly Levied, Collected and paid in, as directed; and that no Disposal of Land, nor any thing of that nature, be acted or done by any Meeting of the Inhabitants or Proprietors of *Swanzy* with *Shewamet*, before the General Town-Meeting in *March* next, when the Vote above shall take effect, and not before. Sent up for Concurrence. [70]

An Engrost Bill, Intituled, *An Act*, To Enable *William Taylor*, of *Lynn*, in the County of *Essex*, Gentleman, as he is Administrator to the Estate of *Rebecca Taylor*, late of *Lynn* aforesaid, Widow, Deceased, to Enter two several Actions at the next Inferiour Court of Common-Pleas, to be held for the County of *Suffolk*, on the first *Tuesday* of *January* next, against *Christopher Taylor*, of *Boston*, in the said County of *Suffolk*, Mariner, &c. Read and

Resolved, That the Bill do pass to be Enacted.

A Petition of *Elizabeth Allen*, Widow, *Ralph Pope*, *Sherebiah Butt*, *Samuel Butt*, and *Benjamin Billing*, Presented to the House and Read; *Praying*, That *Nathaniel Glover*, and *Nathaniel Glover*, junior, may be Enabled to Enter and Prosecute their Appeal at the next Superiour Court of Judicature, to be holden at *Boston*, in a Case wherein the said *Elizabeth Allen*'s late Husband *George Allen*, with the other Petitioners were Appellees; but by the Death of the said *George Allen*, the Action fell, and the Petitioners are without remedy in the Law, or in Case of the said *Glovers* failing so to do, that the said Petitioners (exclusive of said *Allen*, whose

Right is since bought by the said *Pope*) may have the Judgment of the Inferiour Court affirmed to them, &c.

Ordered, That the Prayer of this Petition be Granted, and that the Petitioner's have leave to bring in a Bill accordingly. Sent up for Concurrence.

Post Meridiem.

TWO Accounts of the Commissioners for Letting out the Proportion, of the *l.* 100000. of Province Bills belonging to the County of *Soffolk*, and *Nantucket*, beginning with the time of their Entering upon that Trust, and ending the 13th Day of *February* 1718, 19. being laid before this House, by which they had then Received for Interest the Sum of *l.* 2554 14 7. and had Paid to the Treasurer, the Sum of *l.* 2333 1 1. thereof, the remaining *l.* 221 13 6. being accounted for as their due by Law, & expended for Books, & Book-keeping. There being then the Sum of *l.* 123 2 6. of the Principal in their hands not Let out, and the Sum of *l.* 78 10 0. of Interest outstanding, and to be accounted for.

Resolved. That the said Accompts be Accepted and Allowed, and that the said Commissioners be Discharged accordingly. Sent up for Concurrence.

Three Accounts of the Commissioners for Letting out the Proportion of the *l.* 100000. of Province Bills, belonging to the Connty of *Essex*, beginning with the time of their Entering upon that Trust, and ending the 13th Day of *February* 1719, 20. being Laid before this House, by which they had then Received for Interest, the Sum of *l.* 1522 12 5. and Paid in to the Treasury, the Sum of *l.* 1221 17 5 thereof. And Account for the remaining *l.* 300 15 0 as follows, *viz.* *l.* 165 13 11 their due by Law *l.* 40 10 6. Paid charge of Law Suits. and *l.* 32 for Books and Book-keeping. *l.* 41 15 7 Tavern Expences. and *l.* 20 15 0 Charge of Journeying, and long detainment in fetching the Bills from *Boston*. There being the Sum of *l.* 813 4 3 of the Principal, in their hands not Let out. And the Sum of *l.* 620 10 11 Interest due outstanding, and to be accounted for. [71]

Resolved, That the said two Articles of Expence *viz.* *l.* 41 15 7. And *l.* 20 15 0. be not allowed, but that the said Commissioners forthwith Pay the same being the Sum of *l.* 62 10 7. into the Treasurer, and that thereupon their Accompts be Accepted and Allowed, and they Discharged accordingly.

Sent up for Concurrence.

Three Accounts of the Commissioners for Letting out the Proportion, of the *l.* 100000 of Province Bills, belonging to the County of *Middlesex*, beginning with the time of their Entering upon that Trust, and Ending the 13th Day of *February* 1719, 20. being laid before this House, by which they had then Received for Interest, the Sum of *l.* 1688 19 11. and had Paid into the Treasuer, the Sum of *l.* 1500 12 9 thereof, and Account for the remaining *l.* 188 7 2 as follows *viz.* *l.* 145 7 2 their due by Law, *l.* 23 for Books & Book-keeping, and *l.* 20

Tavern Expences, there being the Sum of *l.* 7 of the Principall in their hands not Let out, and *l.* 575 7 8 Intrest then outstanding to be Accompted for.

Resolved, That the said Article of *l.* 20 Expence be not Allowed, but that the said Commissioners forthwith Pay the same into the Treasurer, and that thereupon their said Accompts be Accepted and Allowed, and they Discharged accordingly. Sent up for Concurrence.

Three Accompts of the Commissioners for Letting out the Proportion of the *l.* 100000 of *Province Bills*, belonging to the County of *Plymouth*, beginning from the time of their Enttring upon that Trust, and ending the 13th Day of *February*, 1719, 20. being laid before this House, by which they had then received for Interest the Sum of *l.* 811—00—4. and had paid in to the Treasurer, the Sum of *l.* 713—8—00 thereof, and account for the remaining *l.* 97—12—4 as follows, *viz.* *l.* 52—5—1. their due by Law; *l.* 26—8—9. Charges on Law-Suits, and *l.* 18—18—6. for Books, and Book-keeping. The Sum of *l.* 107—11—4 Interest, being then outstanding, and to be accompted for all the Principal being Let out.

Resolved, That the said Accompts be accepted, and allowed, and that the said Commissioners be Discharged accordingly. Sent up for Concurrence.

Three Accompts of the Commissioners for Letting out the Proportion of the *l.* 100000 of *Province Bills*, belonging to the County of *Bristol*, beginning from the time of their Enttring upon that Trust, and ending the 13th Day of *February* 1719, 20. being laid before this House, by which they had then received for Interest the Sum of *l.* 1181—16—00. and had paid in to the Treasurer, the Sum of *l.* 1084—7—11. thereof, and accompt for the remaining *l.* 97—8—1. as follows, *viz.* *l.* 64—00—5. their due by Law; *l.* 20—1—8 Charge of Books, and Book-keeping; and *l.* 13—6 Charge of fetching the Bills from *Boston*, &c. The Sum of *l.* 30 of the Principal being in their hands not Let out, to be accounted for, and no Interest said to be out-standing.

Resolved, That the said Article of *l.* 13—6. charge of fetching the Bills, &c. be not allowed, but that the said Commissioners pay in the same, without delay to the Treasurer, and that thereupon their said Accompts be accepted and allowed, and they Discharged accordingly. Sent up for Concurrence.

Three Accompts of the Commissioners for Letting out the Proportion of the *l.* 100000 of *Province Bills*, belonging to the County of *Barnstable*, and *Dukes-County*, beginning from the time of their Enttring upon that Trust, and ending the 13th [72] Day of *February*, 1719, 20. being laid before this House, by which they had then received for Interest the Sum of *l.* 921—15—1. and had paid in to the Treasurer, the Sum of *l.* 828—00—9. thereof, and accompt for the remaining *l.* 93—14—4 as follows, *viz.* *l.* 62—18—4. their due by Law; *l.* 20—1 Charges of Books, and Book-keeping, and *l.* 10—15 Charge of fetching the Bills from *Boston*, &c. The Sum of *l.* 32—8—9. of the Principal then in their hands not Let out and *l.* 5 Interest to be accompted for.

Resolved, That the said Article of *l.* 10—15. Charge of fetching the Bills be not allowed, but that the Commissioners forthwith pay the same to the Treasurer, and that thereupon their said Accompts be accepted and allowed, and they Discharged accordingly. Sent up for Concurrence.

Two Accompts of the Commissioners for Letting out the proportion of the *l.* 100000 of *Province Bills*, belonging to the County of *Hampshire*, beginning from the time of their Enttring upon that Trust, and ending the 13th Day of *February*, 1718, 19. being laid before this House, by which they had then received for Interest, the Sum of *l.* 415—1—1 and had paid in to the Treasurer, *l.* 357 19—10: thereof, and account for the remaining *l.* 57—1—3. as follows, *viz.* *l.* 33—1—3. their Due by Law, *l.* 9 Charge of Books, and Book-keeping, and *l.* 15 the Charge of fetching the Bills from *Boston*. There being no part of the Principal in their hands, nor Interest out-standing.

Resolved, That the said Article of *l.* 15 for fetching the Bills, be not allowed, but that the said Commissioners forthwith pay the same to the Treasurer, and that thereupon their said Accompts be accepted and allowed, and they Discharged accordingly. Sent up for Concurrence.

Two Accompts of the Commissioners for Letting out the proportion of the *l.* 100000 of *Province Bills*, belonging to the County of *York*, beginning from the time of their Enttring upon that Trust, and ending the 13th Day of *February*, 1719, 20. being Laid before this House, by which they had then received for Interest, the Sum of *l.* 90—17—2. and had paid in to the Treasurer, the Sum of *l.* 74—15 thereof, and account for the remaining *l.* 16—2—5. as follows, *viz.* *l.* 6—12—5. their Due by Law; *l.* 2 Charge of Books, and Book-keeping, and *l.* 7—10 Charge of fetching the Bills from *Boston*. The Sum of *l.* 81 of the Principal being in their hands, and *l.* 9—19—2 Interest out-standing to be accounted for.

Resolved, That the said Article of *l.* 7—10 Charge of fetching the Bills, be not allowed, but that the said Commissioners pay in the same without delay to the Treasurer, and that thereupon their said Accompts be accepted and allowed, and they Discharged accordingly. Sent up for Concurrence.

Penn Townsend and *John Appleton Esqrs.* and Mr. Secretary *Willard* brought down the Vote of this House, pass'd yesterday, for sending a Sheriff with an armed Force, to Apprehend Monsieur *Ralle* the Jesuit. Pass'd upon as follows, *viz.* Read and Concurr'd as to the sending a Missionary to the *Kennebeck Indians*, and the Allowance of *One Hundred and Fifty Pounds per Annum*, for that Service.

And the following Message, *viz.* In Council, *December 9. 1720. Voted*, That a Message be sent down, That the Board are fully of Opinion with the Honourable House of Representatives, *That it is highly dishonourable to His Majesties Government, contrary to Law, and an unspeakable Mischief to this Province, That any*

French Jesuit or Romish Priest *should Reside in any part thereof; and that it therefore highly Imports this Government, to take some proper and effectual Method, to Remove Sebastian Ralle, a French Jesuit, now Residing at Norridgawog. And that a Reward not exceeding Two Hundred Pounds, should be given to any Person or Persons [73] that shall apprehend, and bring him to His Majesty's Government at Boston: But cannot think the sending up an Armed Force, under the Direction of the Sheriff of York, to be either proper or an effectual Method at this time, considering the present Circumstances of our Affairs with that Tribe of the Eastern Indians: And that the Board have Concurred with the Honourable House in their Vote, for sending and supporting a Missionary among the Kennebeck Indians, and that effectual Care be taken to Provide and Agree with some suitable Person accordingly.*

A Memorial of the Judges of His Majesties Superiour Court of Judicature, Court of Assize and General Goal Delivery of this Province, Moving, that some Provision may be made, for the Support and Satisfaction of *William Binfill*, and *Richard Fortune*, Evidences against *Mathias Bant*, of his Murthering his Servant Boy, in *Carlisle-Bay in Barbadoes*, who are to be sent with the said *Bant*, to *Barbadoes*, in order to his being Tryed for the said Fact there.

Sent down from the Board, Read and Recommended.

Read. And

Resolved, That the Sum of *Twenty Pounds*, be Allowed and Paid out of the Publick Treasury, to the Honourable the Judges of His Majesties Superiour Court of Judicature, to be Employed as they shall think most proper for the Support and Satisfaction of *Binfill* and *Fortune*, the Two Witnesses mentioned in the Memorial. Sent up for Concurrence.

Mr. *Cooke* from the Committee appointed brought in the Draught of a Bill Intituled, *An Act for the more easy Levying and Regulating Soldiers.*

Which was Read a first time.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Sabbati 10 Die Decembris. 1720. A. M.

A Bill Intituled, *An Act for the more easy Levying & Regulating Soldiers.*

Read a 2d and 3d time, And Pass'd to be Engrost.

Sent up for Concurrence.

The following Vote sent down from the Board, viz. In Council *December 10th 1720. Whereas the time appointed by Law, for the Sitting of the Court of General Sessions of the Peace, and Inferiour Court of Common Pleas, for the County of Middlesex, at Charlestown, is Tuesday the 13 Instant.*

Ordered, That the Justices of the said Court of General Sessions of the Peace and Inferiour Court of Common Pleas, be Directed to Adjourn the said Court,

to some further time, that so the Members of the General Assembly concerned in the said Courts, may attend the Publick Business in this Session.

Sent down for Concurrence. Read and Concurred.

A Draught of a Copy of a Letter to Mr. Agent *Dummer*, Prepared by the Committee of both Houses. Sent down from the Board, Pass'd on there, *viz.* In Council, *December 9th 1720.* Read and Accepted.

Sent down for Concurrence.

Read and Concurred, with Amendments. Sent up.

And then the House Adjourn'd till Monday Morning Three a Clock Afternoon. [74]

Monæ 12 Die Decembris. 1720. P. M.

A Petition of *Samuel Banister* of *Boston*, Administrator to the Estate of *Tho. Banister*, late of *Boston*, Merchant Deceased, *Praying*, That he may be Enabled by an Act of this Court, to File his Reasons of Appeal a new, to the next Superiour Court of Judicature at *Charlstown*, and there Enter this Action against Col. *Edmund Goff*, in which his Reasons of Appeal have been Quash't, as set forth in the said Petition.

Sent down from the Board, Pass'd on there, *viz. December 7th 1720.* Read, and Ordered, That the Prayer of this Petition be Granted, and that the Petitioner bring in a Bill accordingly.

Sent down for Concurrence. Read and Concurred.

Ordered, That Mr. *Speaker*, Maj. *Chandler*, Capt. *Gardner*, Major *Stoddard*, and Mr. *Bordman* with such as the Honourable Board shall appoint, be a Committee to Prepare and Lay before the Court, a Draught of a Humble Address to His Majesty, in thankfull Acknowledgment of His Royall Favour to this His Province, ever since His happy Accession to the Throne, and Humbly Supplicating his Gracious continuance thereof. Sent up for Concurrence.

The Resolve of this House Pass'd the 9th Currant, for a Supply of the Treasury with *Ten Thousand Pounds*. Sent down from the Board Concurr'd with Ammendments, *viz.* The Addition of the words [at the advance, and after the Rate of Five *per Cent* more,] at the End of the first Paragraph, & between the words good and Barrell in the last Paragraph, the inserting of the word [Merchantable]

Voted, That the last Amendment be Agreed to, but not the first.

This House being Informed, that two Tracts of Land, formerly Granted by this Government, one to the Reverend Mr. *John Collins*, and the other to the Reverend Mr. *John Cotton*, each containing *Five Hundred Acres*, both Laid out many Years since, near the South Line of this Province, and were Confirmed to the said Grantees, their Heirs and Assigns respectively, being then within the Province old Line; But upon the New fixing the Partition Line with *Connecticut*

Anno 1713 express Provision was made, by the Commissioners of both Governments fully Ipowered, that the Property of said Lands, should remain to said Grantees, &c. altho' the said Grants should fall within the Colony of *Connecticut*, and an equivalent should be given to said Government for the same, and it appearing upon Running said Line, that said Grants fell within the Colony of *Connecticut*, this Government according to the Solemn Stipulation Gave, and *Connecticut* Actually Received an Equivelent for said Grants, since which Mr. *Collins*, his Grant has been made good to him in another place within this Province, and the former 500 Acres is become the proper Estate of this Govenment. Notwithstanding which, both said Grants, arc Possessed and Improved by Persons who have no Pretention to a Grant [75] from either Government; and. although Mr. *Cotton*, at great expence, brought forward and pursued an Action through the course of the common Law, for Recovering said Land within said Colony, he was finally cast, and is without Remedy there.

Resolved, That the Government of *Connecticut* be Written to, very pressingly by Mr. Secretary *Willard*, in the name of this Court, that Justice may be done to this Province in the Premises. Sent up for Concurrence.

Elisha Cooke, Esqr. Presented to the House a Plat of 800 Acres of Land, laid out to satisfy two Grants of Land formerly made to the Reverend Mr. *John Cotton*, late of *Boston*, Deceased, for Confirmation. Taken by *James Warren* Surveyor.

Resolved, That the Land Delineated in the said Plat, be Confirmed to the Assignees of the said *John Cotton*, to fulfil and satisfie the Grant of 600 Acres, made to the said *Cotton* by this Court, Anno 1641. and to satisfie another Grant of 200 Acres more, granted to his Heirs, Anno 1670. Provided it intrench upon no former Grant, nor exceed the quantity granted, nor the Grants, or either of them have been before Laid out. Sent up for Concurrence.

The Message of the Board, Entred the 9th currant, relating to the Apprehension of *Sebastian Ralle*, a *French Jesuit*. Read and

Ordered, That *Elisha Cooke*, *John Clark*, Esqrs. Capt. *Elisha Plaisted*, *Oliver Noyes*, Esq. and Capt. *William Throop*, be a Committee, to Confer with such Committee as the Honourable Board shall appoint, upon the several Votes that have passed between the Houses relating to the Removal or Apprehension of *Sebastian Ralle*, a *French Jesuit*, &c. And make Report.

A Petition of *John Austin*, Representative of the Town of *Suffield*, in behalf of the said Town, presented to the House and Read. Shewing, That in the late Settlement of the partition Line between this Province, and the Colony of *Connecticut*, the said Town had a great part thereof taken from it; *Praying*, That it may be Restored to them again, or that an equivalent for it may be Granted to them at *Houssatunnuck*.

Ordered, That the said Petition be Referred to the Session of this Court in *May* next, for further Consideration.

A Petition of *Daniel Nash, William Southwell*, and 47 others, presented to the House and Read. *Praying*, That a Tract of Land suitable for a Township, may be Granted to them at *Houssatunnuck*.

Ordered, That the said Petition be Referred to the next *May* Session for further Consideration.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Partis 13 Die Decembris, 1720. A. M.

A Petition of *Lazarus Beal, John Quincey, John Torrey*, and *Robert Spur*, Representatives of the Towns of *Hingham, Braintree, Weymouth, & Dorchester*, Presented to the House and Read. *Praying*, That the Lands belonging to the said Towns, lying between the old and new Colony Lines, may be Determin'd to Lie and Continue to be in the County of *Suffolk*. [76]

Resolved, That the *Prayer* of the *Petition* be Granted, provided that no man's Right or Propriety in the Lands adjacent shall be hereby Infringed.

The Petition of *Samuel Partridge*, in behalf of *John Bell*, praying, as Entred the 8th curreant, further Considered; and the Report of the Committee thereon: Which was accepted by the House. And accordingly.

Resolved, That the Sum of *Twenty Four Pounds* be allowed and paid out of the Publick Treasury, to the Honourable *Samuel Partridge* Esqr. to Discharge the said Accompt mentioned in the Petition. Sent up for Concurrence.

Ordered, That *Elisha Cooke, John Stoddard*, and *William Dudley*, Esqrs. Cap. *William Pepperell*, and Mr. *William Clark*, with such as the Honourable Board shall Nominate, be a Committee to consider and propose what number of Soldiers it may be thought adviseable, to continue in the Pay for the Defence of the *Eastern Frontiers* this Winter; and where to be Posted.

Sent up for Concurrence.

The Memorial of *Josiah Willard* Secretary, *Praying*, as Entred the 29th of *November* last, further considered, and the report of the Committee thereon; which was not accepted, but

Resolved, That the Sum of *One Hundred and Twenty Five Pounds*, be allowed and paid out of the *Publick Treasury*, to *Josiah Willard* Esqr. for his Extraordinary Service to this Province. Sent up for Concurrence.

An Accompt of *Joseph Marion* of Writing by him done for this Court, amounting to *l. 4—4—6*. Presented to the House for Payment. Read and

Resolved, That the Sum of *Four Pounds, Seven Shillings and Six-pence*, be allowed and paid out of the Publick Treasury, to Mr. *Joseph Marion*, to Discharge the said Accompt. Sent up for Concurrence.

Resolved, That the Marching Forces now in the Service, be allowed *Eight Shillings per Week* for their Pay; And the Officers that are Inhabitants of, and belonging to this Province in the same proportion. Sent up for Concurrence.

A Message sent up to the Board, by Mr. *William Clark*, to Inquire, *Whether they have Pass'd on the Vote of this House, relating to the late Conference of Major Walton, and others with the Eastern Indians.*

Voted, That Ten Soldiers be posted at the Town of *Northfield*, in the Publick Pay, and there continued, till the last Day of *November* next, none of the Inhabitants of the said Town be of the Number. Sent up for Concurrence.

A Message from the Board by *Nathaniel Paine Esqr.* That they have Referred the Consideration of the Bill for the more easy Levying and Regulating of Soldiery to next *May* Sessions, And he brought down the Petition of the Selectmen of the Town of *Salisbury*, (on which a Vote was pass'd the 10th of *November* last) Pass'd upon in Council as follows *viz. December 12th 1720.* Read, And the Settlement of the Line between this Province & *New-Hampshire*, being now under Consideration at home, and his Excellency having been pleased to give Order that all Proceedings [77] from the Government of *New-Hampshire*, against the People of *Salisbury* living near the Line should be stopt, and that Restitution be made of what has been already Seized.

Voted, That the Consideration of this Petition, be Referred to the Session of this Court in *May* next.

Voted, That a Message be Sent up to the Honourable Board, That this House is of Opinion, That what is Express in the Vote of the Honourable Board, will not be sufficient to remedy the great Grievances of the People of *Salisbury* express in their Petition. And knowing of no Application made at home for the Setling of the Line, between this and the Province of *New-Hampshire*, and being bound in duty to do all Possible, to Redress the Grievances of the People they Represent. Do therefore Insist on their Vote on the Petition of the Select-men of the Town of *Salisbury*.

Sent up by Mr. *Cooke*, Col. *Somersby*, Mr. *True*, Capt. *Gardner*, Mr. *Sanders*, Mr. *Wainwright*, Mr. *Davenport*.

Resolved, That the Sum of *Fifty Pounds* be added to the allowance, of the Reverend Mr. *John Leverett*, President of *Harvard-Colledge* for the year coming, beginning in *January* next. Sent up for Concurrence.

A Memorial and Representation of *Joseph Hiller* and *Samuel Tyley*, Publick Notaries for the County of *Suffolk*, presented to the House and Read; Shewing, that Mr. *Joseph Marion* of *Boston*, Scrivener, takes upon him the Character, and acts in the Office of a Publick Notary, under pretence as is commonly said of a Commission from his Grace the Archbishop of *Canterbury*, humbly moving the Court to Interpose, and do therein as to their Wisdom and Justice may seem meet, and as may be agreeable to the Royal Charter of this Province

Ordered, That Mr. *Joseph Marion* be Notified, that he may be heard before this House, on the said Memorial, to morrow at Nine a Clock, if he desires it.

Post Meridiem.

An Account of *Samuel Tyley*, and *Benjamin Rolfe*, of Writing by them done for this Court, amounting to *l. 6 17*. Presented to the House for Payment.

Resolved, That the Sum of *Six Pounds*, and *Seventeen Shillings*, be allowed and paid out of the Publick Treasury, to Mr. *Samuel Tyley*, and Mr. *Benjamin Rolfe*, to Discharge the said Accompt. Sent up for Concurrence.

A Message sent up to the Board by Col. *Dudley*, Capt. *Throop*, Major *Quincey*, Mr. *Knowlton*, and Capt. *Hale*; That this House having little Business before them, Move, That the Committees of both Houses may Meet, and Dispatch what is referred to them.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [78]

Mercurii 14 Die Decembris. 1720. A. M.

MR. *Joseph Marion* was Admitted into the House, and the Memorial of *Joseph Hiller* and *Samuel Tyley*, Shewing as entered Yesterday was Read, And he desired a Copy thereof, in order to his making answer thereto, And was directed to withdraw.

Ordered, That Mr. *Joseph Marion*, be served with a Copy of the said Memorial, and directed to attend this House with his Answer, to Morrow at Ten a clock in the forenoon.

An Account of *Joseph Hiller*, of Writing done for this Court, amounting to the Sum of *l. 4 9 6*. Presented to the House for Payment, Read, and

Resolved, That the Sum of *Four Pounds*, *Nine Shillings* and *Six-pence*, be Allowed and Paid out of the Publick Treasury, to Mr. *Joseph Hiller*, to discharge the said Accompt. Sent up for Concurrence.

A Bill Intituled, *An Act to Enable Nathaniel Glover, Farmer, and Nathaniel Glover Junior, Tanner, both of Dorchester, within the County of Suffolk, to bring forward their Appeal from a Judgment of an Inferiour Court of Common Pleas, Held at Boston, within and for the said County of Suffolk, on the first Tuesday of October, 1718. To the next Superiour Court of Judicature, to be Holden at Boston aforesaid, and for the County aforesaid, on the first Tuesday of May next, against Ralph Pope, Sherebiah Butt, of Dorchester aforesaid Farmers, Samuel Butt, of Canterbury, in the Colony of Connecticut, Husbandman, and Benjamin Billing of Dorchester aforesaid, Husbandman, or in failure thereof to Enable the said Ralph Pope, Sherebiah Butt, Samuel Butt, and Benjamin Billing, upon Filing their Complaint at the said Court, to have the Judgment of the said Inferiour Court Affirmed with Additional Cost.* Read 3 several times, and past to be Engrost.

Sent up for Concurrence.

Ordered, That a Message be Sent up to the Board by Capt. *Noyes*, Capt.

Throop, and Capt. *Herrick*, Desiring that a Conference may be had, upon the Bill of this House, Intituled *An Act for the more easy Levying and Regulating Soldiers*. And upon the Vote for Removing the People that are Settled at *Nutfield*, which the Honourable Board have Referr'd to next *May* Session, and this House think to be matters of Importance now to be Issued.

An Account of *William Patten*, of the Expences of Committees of this Court at his House, Amounting to l. 4 4 0. Presented to the House for Payment.

Read, And

Resolved, That the Sum of *Four Pounds, Four Shillings*, be Allowed and Paid out of the Publick Treasury, to *William Patten*, the Accomptant to Discharge the said Accompt. Sent up for Concurrence.

William Tailer, *Samuel Sewall*, *Penn Townsend*, and *Samuel Partridge* Eqrs. Brought down from the Board a Draught of a Humble Address to His Majesty, Prepared by a Committee of both Houses, which was Read and Accepted and Sent up for Concurrence by Col. *Dudley*, Col. *Somersby*, Major *Stoddard*, Capt. *Gardner*, Col. *Bond*, and Capt *Hale*. [79]

The following Vote Sent down from the Board *viz* In Council *December 14th 1720*. *Ordered*, That a Message be Sent down to the Honourable House of Representatives, that if they intend by their Message for a Conference, Referring to the Bill for Levying Soldiers, and Vote of *Nutfield*, or only to Conferr the Consideration thereof to the next Session. The Board are willing to Appoint a Committee to Join with a Committee of the Honourable House, to Prepare a Bill for the Levying of Soldiers, and to act upon the Affair of *Nutfield*, as also to prepare an Act to hinder the Carrying on a Trade with *Cape Breton*, which the Board judge of great Importance.

Post Meridiem.

The following Report of the Committees of both Houses, and Vote of the Council thereon sent down, *viz*. The Committee are humbly of Opinion, that it's necessary for the Defence of the *Eastern* Frontiers, and for the Encouragement of the New Settlements in those Parts, that One hundred good effective Men, with suitable Officers be Detached out of the Forces already Raised, and that they be well provided with Moginsons & Snow-shoes, in order to their Marchings as occasion require; and the Captain General be desired to Post them in the several Places as follows, *viz*.

At the mouth of *Kennebeck* River, Forty Men.

At *Casco Bay*, Thirty Men.

At *Scarborough*, Ten Men.

At *Saco-Falls*, Ten.

At *Cape Porpus*, Ten.

And his Excellency the Governour be desired to Write to the Government of *Piscataqua*, to furnish their Quota to be added to them. In Council, *December 14. 1720.* Read and Accepted, and *Resolved*, That the Towns or Settlements where the Soldiers are to be Posted, be Settled in a compleat regular and defensible manner according to the several Orders of *this Court*, relating to the Settling the *Eastern Parts*, as they expect the further Protection and Assistance of this Government.

Sent down for Concurrence. Read and Concurr'd with an Amendment, *viz.* the word [*mouth*] to be Pass'd, and the words [*Westerly side*] to be inserted in lieu thereof, in the Report. Sent up by Major *Chandler*, Capt. *Plaisted*, & Capt. *Pepperel*, with a Message, requesting his Excellency the Governour in the Dismission of the men to have regard to the first 50 men sent out, and those that belong to the County of *York*.

A Message to the Board by Mr. *Hitchcock*, Capt. *Pumry*, and Mr. *Crossman*, That if there is any Business prepared to come down from the Board, the House desire to have it there, being none before them.

And then the House Adjourn'd till to Morrow Morning Nine a Clock. [80]

Jobis 15 Die Decembris. 1720. A. M.

THE following Vote sent down from the Board for Concurrence, Read and Concurr'd with Amendment, & as amended, is as follows, *viz.* In Council, *December 14. 1720.* *Whereas it may prove injurious, and of Damage both to the Province, and particular Persons Concerned, in case the Trustees for the l. 50000 Loan, delay either Suing out the forfeited Mortgages, or the taking out and levying of Executions after Judgment obtained, on such forfeited Mortgages since three years given for Redemption, begins but from the time that the Mortgagee gets into Possession. Resolved and Ordered*, That the said Trustees without any Delay, Sue out all such Mortgages as are forfeited to the Province, and upon Expiration of the time limited by Law for Mortgages, to Take out and Serve Executions accordingly.

Mr. *Joseph Marion*, according to the Order of the Day, attended the House, and acquainted them, that he is Honoured with a Commission for Publick Notary, from his Grace the Archbishop of *Canterbury*. Mr. *Speaker* desired him to produce it in the House.

And Mr. *Marion* desired time to consider, and was thereupon Directed to withdraw.

A Message sent up to the Board, with the Memorial of *Joseph Hiller*, and *Samuel Tyley*, shewing as Entred the 13th currant, by Col. *Dudley*, Major *Chandler*, Mr. *William Clark*, and Capt. *Gardner*, that Mr. *Joseph Marion* had been before the House, and acquainted them that he had such Commission as is mentioned in the said Memorial, and being desired to produce it in the House,

had pray'd time to consider: And that the House propose, that he attend, and be heard before the whole Court this Afternoon.

A Bill, Intituled, *An Act, To Enable Samuel Banister, of Boston, Merchant, as he is Administrator of all and singular, the Goods and Chattels, Rights and Credits of Thomas Banister, late of Boston aforesaid, Merchant, Deceased, Intestate, to Prosecute an Appeal between him in his said Capacity, and Col. Edmund Goffe, of Cambridge, in the County of Middlesex, Esqr. and to file Reasons of Appeal in the Cause, in the Clerk's Office of the Inferiour Court of Common Pleas within the County of Middlesex.* Pass'd at the Board to be Engrost.

Sent down for Concurrence. Read 3 times and Pass'd a Concurrence.

A Message from the Board by *John Cushing* Esqr. That the Board, propose, that Mr. *Marion* be heard to Morrow at Ten a Clock, which was agreed to by the House.

Post Meridiem.

Resolved, That the Sum of *Five Hundred Pounds*, be allowed and paid out of the Publick Treasury, to his Excellency *Samuel Shute* Esqr. Captain General, and Governour in Chief of this His Majesties Province, for his Support in Managing the Affairs of the Government. Sent up for Concurrence.

Resolved, That the Sum of *Fifty Pounds* be allowed and paid out of the Publick Treasury, to the Honourable *William Dummer* Esqr. Lieutenant Governour, in Consideration of his readiness at all times to Serve this Province.

Sent up for Concurrence.

Upon a Motion being made, and Considerations had of the growing Charge and Expencc that attends the Honourable Judges of the Superiour Court of Judicature in the Discharge of their Office. [81]

Resolved, That the Sum of *One Hundred Pounds* be further allowed and paid out of the Publick Treasury to the said Honourable Judges.

Sent up for Concurrence.

A Message from the Board by *Thomas Fitch*, and *Edmund Quincey* Esqrs. That they have Concurr'd the Resolve of this House, for the Emission of *l. 10000*, to supply the Treasury, and the Bills to be paid in without the Advance of *Five per Cent.*

A fair Draught of the Letter to Mr. Agent *Dummer*, brought down and Read And a further Amendment Voted thereto.

Sent up again by Capt. *Gardner*, and Mr. *Wilder*.

The Resolve of this House pass'd the 9th currant, respecting *Shadrach Walton, Samuel Moody* Esqrs. &c. their late Conference with the *Eastern Indians*.

Sent down, Non-Concurr'd.

And the following Vote sent down, viz. In Council, *December 15. 1720.*

Upon Reading the Instructions of the General Court to Col. *Shadrach Walton*, Capt. *Samuel Moody*, Capt. *Johnson Harman*, and Capt. *John Wainwright*, and the Conference or Treaty managed by the said Commissioners, with the Delegates of the *Norridgewog Indians* at *Arrowsick-Island*, as also the Vote of the House thereupon. *Voted*, That although the said Commissioners may have exceeded the Orders given them by the General Court in their late Treaty, yet considering how serviceable their Management may be to the Government, for the preservation of the Frontiers, if the said Treaty be complied with by the *Indians*, and their Hostages should according to agreement, come to *Boston* The Pay of the said Commissioners may be allowed, and their Treaty Ratified; *Provided*, That the *Indians* duly comply with what is stipulated on their part.

Sent down for Concurrence. Read.

A Petition of *David Haines*, *Benjamin Moore*, and 68 others, Inhabitants on the West-side of *Sudbury River*, presented to the House, and Read; *Praying*, That the River may be made the Bound of their Precinct, and that they may have liberty to place their Meeting-House, as they shall think most convenient.

A Petition of *Edmund Brown*, *John Jewel* and 15 others, Inhabitants on the West-side of the River in *Sudbury*, presented to the House and Read: *Praying*, that their Meeting-House may be placed as was Determined by a Committee of this Court.

A Petition of *Ephraim Curtiss*, *William Jennison*, and *Hopestill Bent*, in behalf of themselves and others, Inhabitants on the Easterly-side of *Sudbury River*: Presented to the House and Read. *Praying*, that the River may not be made the Bounds of the Western Precinct.

Ordered, That the three Petitions last mentioned, be Referred to the next *May Sessions* for further Consideration.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Ueneris 16 Die Decembris, 1720. A. M.

R*esolved*, That the Sum of *Five Hundred Pounds*, be Allowed and Paid out of the Publick Treasury, to *Jeremiah Dummer*, Esq. Agent for this Province, or his Order, further to enable him to Negotiate the Affairs thereof.

Sent up for Concurrence. [82]

Resolved, That the Sum of *Thirty Pounds*, be Allowed and Paid, out of the Publick Treasury to *John White*, Clerk of this House, for his Service in the Year currant.

Sent up for Concurrence.

Resolved, That the Sum of *Twenty Five Pounds* be Allowed and Paid out of the Publick Treasury to Mr. *John Flagg*, Doorkeeper to his Excellency the Governour and this Court, for his Service half a Year, ending the 26th Day of this Month.

Sent up for Concurrence.

Resolved, That the Sum of *Ten Pounds*, be Allowed and Paid out of the Publick Treasury, to *John White*, Clerk of this House, for his Service in Preparing and Transcribing the Votes of this House for the Press this present Year.

Sent up for Concurrence.

The Vote of Council Entered Yesterday, respecting Col. *Walton*, &c. Commissioners, that had a late Conference with the Eastern *Indians*.

Read again, and Nonconcurr'd.

A Report of the Committee of both Houses, that had the consideration of the Affair of the five Nations of *Indians*. Sent down from the Board, Pass'd on there viz. In Council *December 15th 1720*. Read and Accepted.

Sent down for Concurrence.

Read and Non-concurred.

The Bill Intituled, *An Act, to Enable Nathaniel Glover, Farmer, and Nathaniel Glover Junior Tanner, both of Dorchester, within the County of Suffolk, to bring forward their Appeal from a Judgment of an Inferiour Court of Common Pleas, Held at Boston, within and for the County of Suffolk, on the first Tuesday of October, 1718. To the next Superiour Court of Judicature, to be Holden at Boston, aforesaid, and for the County aforesaid, on the first Tuesday of May next, against Ralph Pope, Sherebiah Butt, of Dorchester, aforesaid, Farmers, Samuel Butt, of Canterbury, in the Colony of Connecticut, Husbandman, and Benjamin Billing, of Dorchester, aforesaid, Husbandman, or in failure thereof to Enable the said Ralph Pope, Sherebiah Butt, Samuel Butt, and Benjamin Billing, upon Filing their Complaint at the said Court, to have the Judgment of the said Inferiour Court Affirmed with Additional Cost.*

Sent down from the Board Concurr'd with an amendment, which was Read and Agreed.

A Message from the Board by Mr. Secretary *Willard*, That his Excellency the Governour Expects this Honourable House, now to come up to attend the Hearing of Mr. *Marion*, upon Mr. *Hiller*, and Mr. *Tyley's*, Memorial.

Mr. *Speaker*, and the House went up accordingly, and when the matter was heard returned again to their own Chamber.

Post Meridiem.

An Engrost Bill, Intituled *An Act, to Enable Samuel Banister, of Boston, Merchant, as he is Administrator of all and singular, the Goods and Chattels, [83] Rights and Credits of Thomas Banister, late of Boston aforesaid Merchant, Deceased, Intestate, to Prosecute an Appeal between him in his said Capacity, and Col. Edmond Goffe, of Cambridge, in the County of Middlesex, Esqr. and to file Reasons of Appeal in the Cause, in the Clerk's Office of the Inferiour Court of Common Pleas within the County of Middlesex,*

Resolved, That the Bill do Pass to be Enacted.

Ordered, That Capt. *Little*, Mr. *Mayhew*, Mr. *Gorham*, Mr. *Came*, Mr. *Plaisted*, and Mr. *Gray*, be Prosecuted by the Clerk of this House, for their absence this Sessions (without leave of the House) as the Law directs, if they do not Pay what is due from them without such Prosecution.

An Engrost Bill, Intituled *An Act to Enable Nathaniel Glover, Farmer, and Nathaniel Glover Junior, Tanner, both of of Dorchester, within the County of Suffolk, to bring forward their Appeal from a Judgment of an Inferiour Court of Common Pleas, Held at Boston, within and for the said County of Suffolk, on the first Tuesday of October, 1718. To the next Superiour Court of Judicature, to be Holden at Boston aforesaid, and for the County aforesaid, on the first Tuesday of May next, against Ralph Pope, Sherebiah Butt, of Dorchester, aforesaid, Farmers, Samuel Butt, of Canterbury, in the Colony of Connecticut, Husbandman, and Benjamin Billing, of Dorchester aforesaid, Husbandman, or in failure thereof to Enable the said Ralph Pope, Sherebiah Butt, Samuel Butt, and Benjamin Billing, upon Filing their Complaint at the said Court, to have the Judgment of the said Inferiour Court Affirmed with Additional Cost.* Read and

Resolved, That the Bill do Pass to be Enacted.

A Message from the Board by *William Tailer, Samuel Sewall, Penn Townsend, Samuel Partridg, John Appleton, Addington Davenport, and John Burril Esqrs.* That it is the unanimous Desire of the Board, considering the great Charge his Excellency the Governour has been at the year past, that the Allowance to his Excellency this year may not be less, than it has been for three years past.

The Question being put, *Whether any Addition be made to the Allowance to his Excellency the Governour?* It pass'd in the Negative.

WHereas His late Majesty, King Charles the First, by his Letters Patent, bearing Date the fourth Day of March, in the fourth Year of His Reign, did Grant and Confirm, unto the Patentees therein named, by the Name of Governour and Company of the Massachusetts-Bay, in New-England, both Jurisdiction and Property of all the Lands, being and lying within the space of three miles to the Southward of any, and every part of Charles River, and three miles to the Southward of the Southermost part of the Bay, called Massachusetts-Bay, and within three miles to the Northward of any, and every part of the River commonly called Monomack, alias Merimack, and all Lands and Hereditaments whatsoever, lying, and being within the limits aforesaid, North & South in Latitude, and in breadth and in length and longitude, of and within all the breadth aforesaid throughout the main Lands there, from the Atlantick and Western Sea and Ocean on the East part, to the South Sea on the West part, which Bounds were confirmed by Their late Majesties, King William and Queen Mary, by their Letters Patent, bearing Date the seventh Day of October, in the third year of Their Reign.

And whereas an East and West Line drawn three miles north from the most northerly part of *Merimack*, which is the undoubted northern Boundary of said

Grant does intersect the River of *Newichwonnock*, and so run through that Tract of Land called the *Province of Maine* to the *Atlantick Sea*, including the Towns [84] of *Portsmouth, New-Castle, Hampton, Exeter, Dover* and *Kingston*, which have been Erected into a separate and distinct Government, by the name of the Province of *New-Hampshire*.

Yet notwithstanding the said Government of *New-Hampshire* does of late lay claim to some of the Lands belonging to the ancient Towns of *Salisbury, Amesbury* and *Haverhill* (which Towns have always been acknowledged to belong to the Colony of the *Massachusetts-Bay*) and within the limits aforesaid; and also to some of the common and ungranted Lands within said Limits, and exclusive of the Towns before Enumerated. Wherefore

Resolved, That

be a Committee to run the Northern Bounds of the Town of *Salisbury, Amesbury*, and *Haverhill*, according to their respective Grants, so far as they border on any of the Towns before Enumerated, and belonging to the Province of *New-Hampshire*. And from thence run a Line or Lines between the aforesaid common Lands and the before Enumerated Towns belonging to the Province of *New-Hampshire*, till they come to the River of *Newichwannock* aforesaid, and to Erect Monuments therein, and Report their Doings to this Court.

Sent up for Concurrence.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 17 Die Decembris. 1720. A. M.

THE Vote of the Council, on the Memorial of *Joseph Hiller*, and *Samuel Tyley*. Sent down Yesterday. Read again.

A Vote sent down from the Board for Concurrence, on the Memorial of *Joseph Hiller*, and *Samuel Tyley*. Read and Concurred with Amendment, and as Amended, is as follows, *viz.* In Council, *December 16. 1720.* A Hearing being had this Day before the whole General Court, upon a Memorial of *Samuel Tyley*, and *Joseph Hiller*, two of the Publick Notaries of, and for this Province, being Chosen and Appointed thereto by the General Assembly, setting forth, that *Joseph Marion*, of *Boston*, Scrivener, claims the Office of a Publick Notary, and Acts, as such by virtue of a Commission from his Grace the Archbishop of *Canterbury*, which Commission was accordingly produced and read.

Resolved, That by the *Royal Charter* of this Province, Granted by King *William* and Queen *Mary*, of Glorious Memory, the Nomination and Appointment of all Civil Officers within this Province, excepting such the Election and Constitution whereof are by the said Charter referred to His Majesty, or to the Governour or Commander in Chief of the Province of right appertains to, and is one of the undoubted Priviledges of the Great and General Court or Assembly

of the Province; and that the Office of a *Publick Notary*, being not reserved to Their said late Majesties, and Their Successors: The Nomination and Appointment of Persons to that Office, of Right, and by Virtue of the *Royal Charter*, is Vested in His Majesties Government of this Province, and has been at all times so practised; and that for any person or persons within this Province, to claim or act in the said Office, without a Commission from this Government, is contrary to, and a breach of the Priviledges of the *Royal Charter*. And that Mr. *Joseph Marion* be serv'd with a Copy of this Resolve, and be directed to act no further as *Notary Publick* in this Province, unless he be chosen to that Office by this Court.

Ordered, That a Copy of the Resolve relating to Mr. *Hiller*, and Mr. *Tyley's* [85] Memorial be Transmitted to Mr. Agent *Dummer*, with Direction to him to Vindicate the Proceedings of this Court in that Affair, if occasion shall be.

Sent up for Concurrence.

A Petition of *Giles Dyer*, of *Boston*, Merchant, *Praying*, as Entred the 27th of *November*, 1719. And which was Pass'd upon last, the 23d of *July* last. Sent down from the Board, pass'd upon as follows, *viz.* In Council, *December*, 17th. 1720 *Ordered*, That the further Consideration of this Petition be continued to the Session of this Court in *May* next, and that Executions on both sides be stay'd in the mean time. Sent down for Concurrence.

Read and Concurr'd.

A Message from the Board by Mr. Secretary *Willard*, That His Excellency the Governour expects that this House forthwith attend him in the Council-Chamber. Mr. *Speaker* and the House went up accordingly; and his Excellency made a Speech to the House, whereof Mr. *Speaker* obtained a Copy, and with the House returned again to their own Chamber.

His Excellency's Speech Read, and is as follows, *viz.*

Gentlemen,

THE General Assembly of this Province allowed me for the first three years of my Government, the Sum of Twelve Hundred Pounds per Annum; and the value of the Bills of Credit, have been very much sunk since that time. I had therefore the greatest reason to expect that I should not have had my Salary lessened, or had any occasion to complain of the Support you have this Year given me, But I find my self obliged to Lay before you His Majesties Instructions, which the Secretary will Read and afterward deliver to you. This Instruction I have once and again hinted to you in part, but now give you the whole, that so you may consider how far you have Complied with this His Majesties Direction. Therefore I hope you will give me no Reason to Complain to the King my Master, which I must do unless I am Supported as becomes the Honour and Service of this Government.

Gentlemen, I Expect your Answer.

The Copy of the Instruction from His Majesty, which Mr. Secretary Read and gave to Mr. Speaker, is as follows *viz.*

**Province of the
Massachusetts Bay.**

WHereas it is necessary that due Provision be made, for the Support of the Government of His Majesties said Province, by Setting apart sufficient Allowances to you his Capt. General and Governour in chief for the time being, Residing within the same. And whereas his said Province of the *Massachusetts-Bay*, has not hitherto taken any manner of care in that mater, though the like provision be generally made in His [86] Majesties other Plantations in *America*, which are under his immediate Government, notwithstanding that divers of them are much less able to do it. You are therefore to propose to the General Assembly, of His Majesties said Province, and accordingly to Use your utmost Endeavours with them; That an Act be pass't for Settling and Establishing, fixed Salaries upon your Self, and others His Majesties Captains General, that may Succeed you in that Government, as likewise upon His Lieutenant Governour, or Commanders in chief for the time being, suitable to the Dignity of those respective Offices.

A true Copy of the 19th Instruction from His Majesty King George, to his Excellency Samuel Shute Esqr.

Attest *John Boydell.*

Ordered, That a Message be Sent up in Answer to his Excellency the Governours Speech to the House this Day. That this House humbly Esteem, that what has been Granted to his Excellency the Governour this Year, is an Honourable Allowance. And that the Affair of Settling of Salaries is a matter of great weight and wholly new to this House, and many of the Members thereof, being Dismist and gone home. They think it not proper, to Enter upon an Affair of that Consequence, after the Session has been so long.

Sent up by Mr. *John Clark*, Mr. *Cooke*, Capt. *Noyes*, Mr. *William Clark*, Col. *Dudley*, Capt. *Gardner*, Col. *Somersby*, Major *Quincey*, Capt. *Throop*, Mr. *Hitchcock* and Capt. *Foot*, with a further Message desiering the Court may Rise.

Mr. Secretary *Willard*, brought down a fair Engrost Copy, of the humble Address of this Court to His Majesty, which was Read and Signed by Mr. *Speaker*, in the Name of the House.

And a fair Draught of the Letter to Mr. Agent *Dummer*, which was Read and Signed by Mr. *Speaker*, in the name of the House.

A Message from the Board by Mr. Secretary *Willard*, That his Excellency Expects that this Honourable House forthwith Attend him in the Council

354 Journal of the House of Representatives

Chamber. Mr. *Speaker*, and the House went up accordingly, and Mr. Secretary *Willard*, by his Excellency's Command, Proroug'd the Cour to Wednesday the 15th Day of *February* next, at Ten of the Clock in the Forenoon.

Boston in New-England : Printed by **Jich. Boone**, Printer to the Honourable House of **Representatives**. 1720.

The CASE of the
Muster R O L L S
OF HIS
Majesty's Castle *William*,

The Honourable
WILLIAM DUMMER Esq; Commander,
Which was lately enquired into by a Committee of the Honourable
House of Representatives, as it appears to His Majesty's Council.

*A COPY of a Paragraph in the Report of a Committee of the House of
Representatives, that was made and accepted in the House,
the 24th. of November, 1720.*

SErjeant *Joseph Chapin*, and *John Larrabee*, Quarter Gunner, both Souldiers
at *Castle William*, being Examined, Declared on Oath, And the Muster
Rolls of His Majesty's Garrison at *Castle William*, under the
Command of the Honourable *William Dummer Esq;* being shewed them
from October 1716, to December 1717. In which three several Rolls, *Daniel
Rutter*, was Inserted, and in the whole for Sixty-two Weeks, but he was not
there, neither do they know any such Person; and the Rolls in 1717, and 1718.
in which *Joseph Russel* was entred; That in the Summer seasons of those Years,
he was off the Castle Island, for several Months together. And that *Moses Price*
and *David Cane*, were absent the Summer Months: And they further Declare
That it has been customary for several of the Men, that were entred in
the Muster Rolls to be absent for many Months together, in the Summer
time And *John Cooper*. who is in the Muster Roll from December 1717,
to the 14th of July 1720. being asked about him, said, They knew no such
Person.

Examin'd per *John White* Clerk.
To the Honourable *Timothy Lindall Esq; Speaker of the House
of Representatives.*

SIR,

I Having this Day seen a Report of a Committee of the House of Represent-
atives referring to His Majesty's Castle, under my Command, I find my Self
obliged to represent to you, first, That as to some of the Mens being absent at

times in the Summer-season, is no more than what was Constantly Practised in the times of my Predecessors, and even with the leave and direction of the Captain General, and no Complaint thereof made, the Service not suffering thereby, and the Souldiers having the Profit; And as to such as have been absent in my time they Hired others to do their Duty: As to the Two Unknown Men the Report Speaks [2] of, they are my Servants, their Names *Daniel Rutter* and *John Cooper*, the first now in Town, and the other at my House; And the Captain the Castles Privilege of having Three Servants is what the Officers at the Castle assured me was enjoy'd by all the Commanders that Preceeded me; and the Committee had before them the Certificate of His Excellency the Governour for that purpose, of which no Notice is taken in the Report. I should have been glad the Gentlemen of the Committee would have done me the Justice, at least to have given me some Notice of these Matters before they had given in their Report, and that they had entred the Declaration of *Chapin* and *Larrabee*, as large as they design'd them; Which was, That the absence of Souldiers in the Summer was Customary **before my Time** which last words are Omitted, and they are ready to Attest to it, if requir'd. I desire you'll favour me to Communicate this to the House.

I am Sir your Humble Servant,

25, *Novemb.* 1720.

Wm. Dummer.

THese may Certifie whom it doth Concern, That from the Time of my first receiving a Commission for Lieutenant of His Majesty's Castle *William*, being *January 6th.* 1703, 4. and to this day, It has been Customary from time to time, for the Captain to have Three Servants; tho' Col. *Thomas Povey*, had no more than One attending him upon the Place. Witness my Hand the 28th day of *November*, 1720.

Zech. Tuthill.

Joseph *Chapin* Serjeant, and *John Larrabee* Quarter Gunner at His Majesty's Castle *William*, Testify and say, That being Summon'd by Mr. *James Scolly* Messenger to a Committee of the House of Representatives, and having obtained leave of the Honourable *William Dummer* Esq; did attend the said Committee, on Monday the 21st Instant, and answer'd several Questions put to them, but **were not shewn any Muster Rolls, as they know of, for no Muster Roll** was read to them, nor did they Read or Peruse any Muster Roll. And when ask'd about *John Cooper*, They answer'd, **They had seen him at the Castle, and knew him;** and further say, That it has been Customary for every Captain in their Time, to allow Men to be off in the Summer-season, and further saith not.

Joseph Chapin
John Larrabee.

Sworn in Council, *Novemb.* 28, 1720.

In Council, November 28th. 1720.

THE Board at the desire of the Honourable the Lieut. Governour, taking into their Consideration a Paragraph in the Report of a Committee of the House of Representatives, which his Honour Produced, relating to Castle *William*, and being acquainted with a Message sent by His Excellency to the said Committee, the Lieut. Governour's Letter to the Speaker on that Occasion being also Read. And having before them the Certificate of Capt. *Zech. Tuthill* Lieutenant of the Castle, as also the Written Depositions of Serj. *Joseph Chapin*, and *John Larrabee* Quarter Gunner of the said Garrison, (at the taking of which last Depositions, the said Committee were by a Message Notified that they might be present.)

Voted, That the Proceedings of the Honourable the Lieut. Governour in his Muster Rolls have been no other than what was practiced for many Years by his Predecessors, and Allowed by the Captain General. [3]

In Council, Novemb. 29. 1720.

Voted,

THAT a Message go down to the Honourable House of Representatives, That this Board apprehending that there was a Mistake in the Report made by the Committee of the Honourable House, relating to the Muster Rolls of Castle *William*, desire that the Report, as it now stands, may not go into the Print, until the Honourable House have considered of such Affidavits and Certificates, as have been since produced to the Board.

In the House of Representatives.

Novemb. 29, 1720.

Ordered,

THAT a Message be sent up to the Honourable Board, That the House having Considered their Message, relating to a Report of a Committee of this House, not going into Print, and the Affidavits accompanying it, Do not find any Mistake in the Report of the said Committee, or Reason that should hinder it's going into Print.

In Council, Novemb. 29, 1720.

Voted,

THAT for the Honour of this Board, and in Justice to the Honourable the Lieutenant Governour, the Case of the Muster Rolls of Castle *William*, as it appears to the Board, be Printed.

J. Willard Sect.

BOSTON : Printed by *B. Green*, Printer to His Excellency the GOVERNOUR and COUNCIL. 1720.

JOURNAL

Of the House of Representatives.

At a Great and General Court or Assembly of His Majesty's Province of the *Massachusetts-Bay* in *New-England*. Begun and Held at *Boston*, on *Wednesday* the 13th day of *July*, *Anno Domini*, 1720. And continued by Prorogation, to *Wednesday* the 15th day of *March* next after, and then Met.

Ordere*d*, That a Message be sent up to the Board by Mr. *Cooke*, Mr. *Wainwright*, and Mr. *William Clark*, to acquaint his Excellency the Governour, that a *Quorum* of the House are met, ready to attend the business of the Session.

A Letter from Mr. *Knowles*, Representative of the Town of *Eastham*; and a Letter from Mr. *Mayhew*, Representative of the Towns of *Chilmark* and *Salisbury*. Dated *March* 1720, 1. Excusing their not attending the House in the present Session. Read.

A Message from the Board by Mr. Secretary *Willard*, That his Excellency expects that this House attend him forthwith in the Council Chamber.

Mr. *Speaker* and the House went up accordingly.

And his Excellency the Governour made a SPEECH to the Court. Whereof Mr. *Speaker* obtained a Copy, and with the House Returned to their own Chamber.

His Excellency's SPEECH Read, and is as follows, *viz.*

Gentlemen.

I Take this opportunity to assure you as I have often done before, that I have nothing more at heart, than to see this Province flourish, and to make it easie as well as happy under my administration.

It is with this view that I have lately Assembled some of the Principal Gentlemen and Merchants of *Boston*, in order to propose or to receive any Scheme that might accommodate the People committed to my care, in the [2] Grievances they complain of, for want of a good Medium of Trade. The Redress seems to be very much within the compass of every mans capacity; I mean to be frugal and industrious, without which the Mines of *Peru*, and *Mexico*, would not make you a prosperous & happy Community. For my own part, if any Proposals come

before the General Assembly at this Sessions, that do not tend to Depreciate the *Province Bills*, and by that means rob the thrifty and diligent, or break into our publick Credit (which will reduce any Country to a state of Bankruptcy) my concurrence shall not be wanting.

At the last Sessions there was a Bill drawn, to prevent any Trading with the *French* at *Cape Breton*, conformable to the Treaty of Neutrality, stipulated between the two Crowns of *England* and *France*; but since it had not then the assent of the whole General Assembly, I must again recommend it, hoping it will have a better fate this Sessions, least otherwise it should be thought by the Government at Home, that we have more regard to some private persons interest, than to His Majesties Treaties, or the publick good.

I must observe to you, that we have been so unhappy of late, as to have many *Factionous* and *Scandalous* Papers, **Printed** and publickly Sold at **Boston**, highly reflecting upon the *Government*, and tending to disquiet the minds of His Majesties good Subjects: I therefore make no doubt, that whosoever is a lover of the **Priviledges**, **Peace** & good **Order** of this **Province**, will be very desirous to have a Law made, to prevent this pernicious and dangerous practice for the time to come, and more especially since it is the King my Master's positive Commands, that no Book or Paper shall be **Printed** without my Licence first obtained, which you have been lately acquainted with.

I would also recommend to your Consideration, the sending a **Present** to the five **Indian Nations**, in Conjunction with some of our Neighbours, who I am informed are by that means endeavouring to Cultivate a Friendship and Strong Alliance with them, [3] least since we were used to do it, and should now neglect it, they should hereafter refuse us their assistance, when it may prove very advantageous to obtain it.

Gentlemen of the House of Representatives,

I Received a Message from your House the last Sessions, relating to my Support, wherein you acquainted me, you thought a *Thousand Pounds* a year in *Province Bills*, was a sufficient allowance. I must take the liberty to say, that it cannot be the King my Master's Sentiments, since if you'll make enquiry, you will find there is no Governour appointed by His Majesty in the *British Colonies* in *America*, that is so poorly supported as my self, though most of them are less in Extent, not so long Settled, and less capable of Defraying the Expence. I likewise sent down to you His Majesties Instruction, with respect to a settled Salary; you excused your selves from Debating upon it at that time, because the Sessions had been long, and many Members gone home, but you have now another opportunity.

I hope you will come to as speedy a Resolution as possible in the Affairs that I have Recommended to you, that so you may not be too long detained from your own private Affairs at this Season of the year.

Post Meridiem.

The first Paragraph of his Excellency's Speech relating to a Medium of Trade. Read again, and considered.

Voted, That it is the Opinion of this House, That it will be of Service to this Province to have more Bills of Publick Credit, Made & Emitted, for a Medium of Trade.

Ordered, That Mr. Cooke, Col. Dudley, Capt. Throop, Mr. William Clark, Mr. Knowlton, Mr. Foster, and Mr. Stone, be a Committee to Consider and make Report to the House, in what Method, and upon what Foot, they shall apprehend; it will be most convenient and advantageous, to Emit more Bills of Credit.

The other Paragraphs of his Excellency the Governours Speech Read and Considered separately.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Tobis 16 Die Martii, 1720. A. M.

TWO Projections of Methods in which to Emit Province Bills, laid before the House by one of the Members. Read, and Debated. [4]

Ordered, That the Bill Intituled, *An Act for the Making and Emitting the Sum of l. 100000 In Bills of Credit on this Province*. And the Bill Intituled, *An Act, Prohibiting the Selling, Buying, Uttering or Exchanging, Silver-money, at greater or higher Rates than they were set at by Act of Parliament &c.* Which were sent up the last Session, be sent for from the Board.

John Clark Esqr. Capt. Gardner and Mr. Whittemore, were accordingly Sent up for the same.

The said two Bills, brought down from the Board by *Penn Townsend Esqr.*

Ordered, That the said Bills, and the other Projections, for Emitting of Province Bills be Committed to the Committee, appointed to consider and Report, in what method they think it will be best to Emit more Province Bills of Credit.

Post Meridiem.

A Petition of *John Gardner*, in behalf of the middle Precinct, or Parish in *Salem*. Presented to the House, and Read.

Praying, That the Constables in the said Precinct may be Impowered and Required, to finish the Collecting of Parish Taxes committed to them, and Pay in the same, notwithstanding the Assessors were not under Oath that proportioned the Taxes, and that the Proceedings of the said Assessors may be declared and rendred good and effectual.

Ordered, That the Prayer of the Petition, be Granted, and that a Bill be brought in accordingly.

Ordered, That Major *Chandler* and Col. *Dudley* be a Committee to prepare such a Bill, and a Bill, providing that Precinct Assessors shall be under Oath.

A Petition of *Johnson Pearson, Nathaniel Gowing, William Eaton* and *George Hurst*, in behalf of the North Precinct in *Lynn*, Presented to the House, and Read, Praying this Court to Enable them to Call & Hold, a Legal Precinct Meeting &c. Committed to the Committee for Petitions.

An Account, Signed *Richard Johnson*, of charge which the Town of *Lynn*, has been at in the Support of *Onna Thomas*, a poor helpless widow, said to be driven in formerly from the Eastern parts by the War, amounting to the Sum of *l. 3 10 o.* Presented to the House for Payment.

Read, And the Question being put, whether the said account be paid out of the Publick Treasury?

It Pass'd in the Negative.

A Petition of *James Dike*, of *Glocester*, Presented to the House, and Read, Praying that he my be enabled to bring forward, and prosecute an Appeal, from the Sentence of *Epes Sargent* Esqr. Justice of the Peace, in a Case between him and *James Sawyer*, of the said Town, wherein he is now barred, for reasons rendered in the Petition.

Ordered, That the said Petition be dismiss.

A Petition of *Isaac Farewell* of *Medford*, Presented to the House & Read,

Praying, That he may have leave to Purchase of the *Hasanamisco-Indians*, 18 Acres of Land adjoining to a Tract of Land, he has in the Town of *Sutton*, for reasons Assigned in the Petition. [5]

Ordered, That the Prayer of the Petition be Granted, and that *John Chandler* Esqr. be desired to take care that justice be done to the *Indians* in the Purchase, and to Dispose of the Purchase Consideration in the best manner he can, for the benefit of the said *Indians*. Sent up for Concurrence.

A Letter from *John Stoddard* Esqr. Representative of the Town of *North-Hampton*, and a Letter from Mr. *John Greenland*, Representative of the Town of *Malden*, excusing their not attending His Majesties Service in this House, this Session. Read.

Ordered, That *Elisha Cooke* Esqr. Mr. *Ebenezer Stone*, and *John Clark* Esqr. with such as the Honourable Board shall appoint, be a Committee, to prepare and lay before the Court, a Draught of a Proclamation for the observance, and solemnizing of a Day of *Publick Fasting* with *Prayer* to Almighty God, throughout the several Towns and Precincts of this Province, upon the present Grounds and Occasions thereof. Sent up for Concurrence.

Ordered, That the Bill past in this House the last Session, for Making and Emitting the Sum of *l. 100000* in Bills of Credit, &c.

And the Bill prohibiting the Selling and Buying of Silver Money at greater Rates, &c. have each of them a first Reading to morrow Morning.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Generis 17 Die Martii, 1720. A. M.

A Bill Intituled, An Act, *For the Making and Emitting the Sum of l. 100000 in Bills of Credit on this Province, in such manner as in this Act hereafter is declared.* Read a first time.

Ordered, That the Bill have a 2d Reading, and that it be inserted therein, that no one person, shall be permitted to take up above *One Hundred Pounds.*

A Bill Intituled, An Act, *Prohibiting the Selling, Buying, Uttering or Exchanging Silver Money, at greater or higher Rates, than they were set at and Ascertained by an Act of Parliament, Intituled, An Act, For Ascertaining the Rates of Foreign Coins, in Her Majesties Plantations in America.* Read a first time.

A Bill Intituled, An Act, *For the Making and Emitting the Sum of l. 100000 in Bills of Credit, on this Province in such manner, as is in this Act hereafter declared.*

Read a 2d time.

A Bill Intituled, An Act, *Prohibiting the Selling, Buying, Uttering or Exchanging of Silver, at greater or higher Rates, than they were set at and Ascertained by an Act of Parliament, Intituled, An Act, For Ascertaining the Rates of Foreign Coins, in Her Majesties Plantations in America.* Read a 2d time.

A Message from the Board by *Benjamin Lynde and Thomas Fitch Esqrs. viz. In Council, March 17th 1720. [6]*

Voted, That a Message be Sent down to the Honourable House of Representatives, that the Board having ordered Precedents to be searched, do not find that the House have heretofore, appointed a Committee to joyn in drawing up a Proclamation for a Publick Fast, and therefore have Non-Concurr'd their Order Pass'd Yesterday, but have directed a Proclamation to be prepared, which will be Communicated to the House.

Ordered, That a Message be sent up to the Honourable Board, that this House Insist on their Vote of Yesterday, for the appointment of a Publick Fast; Inasmuch as this House is of Opinion that if the Appointment of such Days, has not the Sanction of the whole Court, Persons are not liable to be Punish't if they Work, or Travel thereon, which will tend to great disorder.

Sent up by Mr. *Cooke, Col. Dudley, Capt. Gardner, Mr. John Clark and Major Chandler.*

Information being given to the House, that some Persons have Presumed, to cut a considerable number of Trees, to a great value in the late Province of *Maine*, now part of this Province.

Ordered, That Mr. *John Clark, Mr. Cooke, Col. Dudley, Capt. Plaisted,* and

Capt. *Pepperell*, be a Committee to make inquiry into that matter, and make a Report what they think proper to be done thereon.

Question. Whether, That Clause in the Law, Intituled, An Act, *Directing how Rates or Taxes to be Granted by the General Assembly, shall be Assessed and Collected*, in the words following, viz.

And such Select-men or Assessors, shall be under the like Obligation, of the Oath Administred unto them, for making of the Publick Tax: Equally and Impartially to Proportion such County or Town Assessments by the same Rules.

Doth extend to all Assessors in the Proportioning of Precinct, District, or Parish Rates, or Assessments, Granted, or agreed on by any Legal Meeting of the Inhabitants of such Precinct, District or Parish regularly set off?

Resolved in the Affirmative. Sent up for Concurrence.

Post Meridiem.

A Petition of *Edward Emerson, James Ordway, & 78 others*, Presented to the House and Read, *Praying*, That a Tract of Land of 8 Miles Square, lying Easterly and Northerly of *Rutland*, may be Granted to them, to Settle a Township thereon, upon such Conditions as the Court shall think fit.

And the Question being put whether the Prayer of the Petition be Granted?

It Pass'd in the Negative.

Col. *Dudley*, from the Committee Appointed, offered a Draught of a Bill, Intituled, An Act, *To Enable the late Constables of the Middle Parish, in the Town of Salem, to Recover the Parish dues from such of the Inhabitants, who refuse to Pay their proportion thereof, by reason of the Assessors of the said Parish, not being under Oath.* Read.

A Bill, Intituled, An Act, *For the making and Emmitting, the Sum of One Hundred Thousand Pounds in Bills of Credit on this Province, in such manner as in this Act hereafter is declared.* Read a 3d time, And Past to be Egrost.

Sent up for Concurrence.

A Bill, Intituled, An Act, *Prohibiting the Selling, Buying, Uttering or Exchanging, Silver Money at greater or higher Rates, than they were set at and ascertained, by An Act of Parliament, Intituled, An Act, For Ascertainning of the forreign Coins in Her Majesties Plantations in America.* Read a 3d time and Pass'd to be Engrost.

Sent up for Concurrence. [7]

Both the said Bills sent up by Mr. *William Clark*, Col. *Somersby*, Capt. *Throop*, Mr. *Wainwright*, and Major *Chandler*.

WHereas this House is credibly Informed, that some Persons have Presumed to cut a considerable number of Trees into Logs, to a great value, in the late Province of *Maine*, now part of this Province, which Lye above the Town of *Berwick*.

Ordered, That Mr. *James Grant*, Mr. *Thomas Butler*, and Mr. *Humphry Chadbourn*, or any two of them, be Appointed and fully Impowered, to Seize upon, Mark and Secure, the said Logs, and reserve them for the further Order of this Court, and to Impress suitable assistance, as may be found needful, and to Procure and Return if it may be Evidence, who the Persons are that cut the same.

Sent up for Concurrence.

The following Message brought down from the Board, by *Penn Townsend*, *John Appleton*, *Edward Bromfield*, *John Otis*, *Nathaniel Norden*, & *Addington Davenport*, Esqrs. viz. In Council March 17th 1720. *Voted*, That a Message be sent down to the Honourable House of Representatives, That the Board apprehend that their Message sent this Morning, Referring to a Fast was mistaken, for that they are very ready & glad to have the Concurrence of the House (during the Session of the General Assembly) in Appointing a Day of Fast, but find that it has been always the method of this Government, or his Excellency the Governour with the Advice of the Council, and (during the Session of the General Assembly) at the Desire or Motion of the Representatives, to Issue out Proclamations for Publick Fasts &c. and accordingly his Excellency, with the Advice of the Council, & at the Instance of the House, has Ordered a Proclamation for a Publick Fast to be drawn and Communicated to the House.

Voted, That a Message be sent up to the Honourable Board, that this House does not find that the Message of the Board was mistaken by them, but must needs think, that the Honourable Board are mistaken in their last Message, when they say, *That His Excellency, with advice of the Council, and at the Instance of this House has Ordered a Proclamation for a Publick Fast to be drawn.*

This House having made no such Instance, but Voted a Committee, to Joyn with a Committee of the Honourable Board, to prepare the Draught of such a Proclamation.

Sent up by Mr. *John Clark*, Mr. *Cooke*, Major *Quincey*, Capt. *Throop*, Capt. *Gardner*, Capt. *Pepperell*, and Mr. *Came*.

A Bill Intituled, *An Act, To Enable the late Constables of the middle Parish in the Town of Salem, to Recover the Parish Dues, from such of the Inhabitants, who refuse to pay their proportion thereof, by reason of the Assessors of the said Parish, not being under Oath.* Read a 2d time.

Ordered, That Mr. *Cooke*, Mr. *John Clark*, Col. *Dudley*, Capt. *Gardner*, and Capt. *Throop*, be a Committee, to Prepare and Lay before the House a Draught of an Answer to his Excellency the Governours Speech.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Sabbati 18 Die Martii, 1720. A. M.

O *Ordered*, That Mr. *Knowles* his Excuse be accepted for his Absence this Session to this time, he now appearing.

A Petition of *John Chandler*, Representative of the Town of *Woodstock*, Presented to the House and Read; Praying, That the Sum of l. 250. further needful to finish a New Meeting-House, lately Erected in the said Town, for the Publick [8] Worship, may be Raised upon the Lands in the said Town, without regard to Improvement made on any.

Ordered, That the said Petition Lye on the Table till *Wednesday* next, Afternoon, then to be further Considered.

Ordered, That Mr. *William Clark*, and Col. *Dudley*, Go up to the Board, and Inquire, *Whether they have Pass'd upon the Vote of this House, relating to Trees cut in the Province of Maine, and if they have not, to desire it may be Expedited?*

A Petition of *William Salisbury*, in behalf of himself, and the other Proprietors of a Tract of Land, called the *Gore*, or Out-let, which is part of a Tract of Land, formerly Granted by the General Court of *New-Plymouth*, called *Shawamet* Purchase. Praying, This Court to appoint a Committee to perambulate the Divisional Line between the said Land, and the Grants adjoining.

A Bill Intituled, An Act, *To Enable the late Constables of the middle Parish, in the Town of Salem, to recover the Parish Dues from such of the Inhabitants, who refuse to pay their Proportion thereof, by reason of the Assessors of the said Parish, not being under Oath.* Read a 3d time. And Pass'd to be Engrost. Sent up for Concurrence.

The Vote of this House pass'd yesterday for seizing of Logs, cut in the Province of *Maine*. Sent down from the Board, Pass'd on there, viz. In Council, *March* 18. 1720. Read and Concurr'd, saving always to His Majesty, all such Rights as are reserved by the Royal Charter and Acts of Parliament with respect to Trees fit for Masting the Royal Navy. Sent down for Concurrence.

Read and Non-Concurr'd, *Nemine Contradicente.*

Voted, That the House Insist upon their former Vote.

Ordered, That Mr. *Cooke*, Mr. *John Clark*, Capt. *Throop*, Col. *Dudley*, and Capt. *Pepperel*, carry up the said Vote, and move that the Honourable Board will please to withdraw the said *Saving*, inasmuch as the House Proceed as they do in the said Vote, with a View & Design to Prevent such Trees being cut down for other Uses, as are fit for His Majesty's Royal Navy, being informed that the said Trees are cut by one who is said to be Deputed by the Deputy of the Surveyor General of the Woods, and that the House Desire the Board to Joyn with them in this Affair as expeditiously as may be.

A Message from the Board by Col. *Townsend*, That they desire the Information

the House have concerning the Cutting of Trees in the Province of *Maine* may be Sent up.

Mr. *Cooke*, Capt. *Plaisted* and Capt. *Pepperell* were sent up to give such Information.

Voted, That a Message be sent up to the Honourable Board, to inquire, whether they have acted upon the Vote of this House, concerning the Trees Cut in the Province of *Maine*. Sent up by Mr. *John Clark*, Mr. *Wainwright*, Mr. *Stacy*, Major *Fullam*, Col. *Somersby*, Major *Chandler*, and Capt. *Plaisted*.

Who Returned that the Board said, they had acted upon it.

The said Vote brought down by *John Appleton* Esqr. Further pass'd upon as follows, *viz.* In Conncil, *March* 18. 1720. Read and Voted, that this Board do adhere to their Vote above.

Ordered, That a Message be sent up to the Honourable Board, That since they decline to joyn with this House in their Vote respecting the Trees cut in the Province of *Maine*, they esteem it their bounden Duty, in order to preserve the Rights and Properties of this Province (which will also tend greatly to the Service of the Crown) to take Order therein themselves forthwith.

Whereas this House is credibly informed, that some persons have presumed to cut a considerable number of Trees into Logs, to a great value in the late Province of Maine, now part of this Province, which Lye above the Town of Berwick.

Ordered, That Mr. *James Grant*, Mr. *Thomas Butler*, and Mr. *Humphry Chadbourn*, or any two of them, be appointed, and fully impowered to seiz upon, mark and secure the said Logs, and Reserve them for the further Order of this House, and to apply themselves to the Honourable *Charles Frost*, Esqr. to Impress suitable Assistance for them, as shall be found needful.

Ordered, That Mr. *Speaker*, *John Clark*, Esqr. and Mr. *William Clark*, be a Committee to send the said Vote to the Persons mentioned in it, and to write to them in the name of the House, to proceed accordingly.

And then the House Adjourned till Monday next, Three a Clock Afternoon.

VOTES

Of the House of Representatives.

Lunæ 20 Die Martii. 1720. P. M.

A Petition of *Amos Turner of Situate*. Presented to the House and Read, *Shewing*, That he borrowed of the Trustees for the *l. 50000* Loan, the Sum of *l. 250* and has Paid in *l. 62 10 0* of the Principal and Interest, *Praying*, That he may be allowed more time, to Pay in the Principal remaining unpaid, and Abatement in the Interest, in consideration of his late great Loss, by the Burning of his Barn, Cattle, Hay and Grain therein. In Answer to the said Petition.

Resolved, That the Suit of the Petitioners Mortgage be Respited, until three Years are expired from the end of the five Years it was made for, and that upon his Paying the Principal and Interest, that shall be then due; That three Years Interest be abated to him, of the *l. 200* now outstanding.

Sent up for Concurrence.

Mr. *Cooke*, from the Committee Appointed, Laid before the House a Draught of an Answer to his Excellency the Governours Speech,

Which was Read and Accepted.

A Message from the Board, by *Samuel Sewall, Penn Townsend, John Otis, and John Burrill*, Esqrs. and Mr. Secretary *Willard*, That a Draught of a Proclamation for a Publick Fast, has been prepared at the Board, which they were Sent down to Communicate to this House, and hop'd would be acceptable to the House, being according to former Usage, which Mr. *Secretary* Read, and they withdrew.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Martis 21 Die Martii, 1720. A. M.

A Bill, Intituled, *An Act, in Addition to the Act, Intituled An Act, in Addition to, and Explanation of the Act Intituled, an Act, for Regulating of Townships Choice of Town-Officers, and setting forth their Power.* Read a first time.

A Letter from Mr. *Dickinson*, and a Letter from Mr. *Nash*, both Dated *March 13th 1720*, 1. *Shewing the Reason of their not Attending His Majesties Service in this House, this Session.* Read.

Ordered, That Col. *Somersby*, Col. *Dudley*, and Capt. *Throop*, Go up to the Board, and Inquire whether they have Pass'd upon the Bill, for the Emission of *l. 100000* in Bills of Publick Credit, &c. And upon the Bill, for Prohibiting the Buying, Selling, &c. of Silver Money at higher Rates, that they are set at by Act of Parliament, &c.

Who Return'd, they had been once Read, and are under Consideration. [10]
Ordered, That Mr. *Cooke*, Major *Fullham*, and Mr. *Boardman*, Go up to the Board, and desire that the Draught of a Proclamation for a Publick Fast, which was Communicated to the House, may be sent down.

Ordered, That the Answer to his Excellency the Governours Speech, be Signed by Mr. *Speaker*, and Sent up by Mr. *John Clark*, Capt. *Pepperel*, Major *Chandler*, Capt. *Gardner*, and Major *Bourn*. Which is as follows.

The Answer of the House of Representatives, to his
Excellency the GOVERNOUR's

S P E E C H.

May it please your Excellency,

IT must needs be a great pleasure and satisfaction to every one that is a true Lover of his Country's Prosperity, to see those in the Highest Seat of Government, not only to think of, but strenuously lay out themselves for the good of those under their Administration. Your Excellency was pleased to acquaint us, that you lately Assembled some of the Principal Gentlemen, and Merchants in *Boston*, with a View to the Publick Good, that they might propose or receive Schemes for the Relief of this People under their Grievances, for want of a good *Medium of Trade*. If those Gentlemen when Assembled, did agree upon any Method, and had laid the same before this House, it had been very readily received, and due Consideration had thereon: But none such as yet hath been shewn forth.

At the last Sessions of this Court, a Bill was prepared for Emitting a *Hundred Thousand Pounds*, in Publick Bills of Credit, for a further *Medium of Trade*, and the better inabling the Inhabitants of this Province to pay their Publick Dues. Which Bill after three several Readings and Debates had thereon, pass'd the House of Representatives, but had a different Turn at the Honourable Board. And since our coming together at this Session, being truly sensible of the insufficiency of the Publick Bills of Credit, without a larger Supply to carry on the necessary Affairs and Trade of this Province: We are therefore of Opinion, That it is the incumbent Duty of the Representatives to accomplish that matter as far as in them lies, in the best and safest way that can be thought on.

We agree with your Excellency, that should a further Emission of Publick Bills of Credit Depretiate those already out-standing, it would be of pernicious Consequence to the Province.

And therefore for preventing the same, did at the last Sessions, & have again at this, passed a Bill to prevent the Buying, Selling, Bartering or Exchanging Silver

Money or Bullion at higher rates and prices than heretofore stated by Act of Parliament. Which in our humble Opinion, had such an Act been made by this Government at the first Issuing out of the Paper Bills, they had to this Day been in equal Value and Credit to Silver Money. And we further Conceive the passing it now would not only [11] prevent the Bills being further Depreiated, or Under-valued, but have a natural Tendency to bring them up to the Value and Esteem they once had. But if any other or better way may be projected, more conducing to effect so great and Publick a Good, it will readily be Voted and Accepted of by this House.

The Reason why the Bill to prevent any Trading with the *French* at *Cape Breton*, did not pass the House the last Sessions, was not out of regard to any private persons interest; for as we then did not, neither do we now know, or are informed of any within this Government, that do Trade there; & we humbly presume should an Act be now made for that purpose, it could add no strength or power to the Treaty of Neutrality mentioned by your Excellency, to which we would ever have a due deference. And if any do Trade there, & it's contrary to any Act of Parliament, those Gentlemen Commissioned from Home to inspect those Matters, doubtless have and will discharge their duty in that Affair.

It is an unhappy Circumstance attending a well Regulated Government, when they have Seditious and Scandalous Papers Printed, and publicly Sold or Dispersed. And the most ready and effective way to prevent and hinder all such, is for the Executive part of Government at the very first putting forth any such Factious Papers, strictly to endeavour the finding the Authors thereof, *that* upon Conviction they might be bro't to Condign Punishment, *that so others might hear and fear, and do no more so wickedly*. And questionless when a certain Print, called, *News from Robinson Cruso's Island* was so publicly dispersed and given to many Members of this House at the Opening the Session in *July* last, wherein the Contriver of *that* Piece not being content to compare the Representatives at their last *May* Sessions to a parcel of men, who in an angry humour did things on purpose to shew *their* spite to your Excellency, and put a publick affront upon you, but goes on, and to compleat his wickedness, gives the Lie to a Report of a Committee of both Houses; and a Resolve of this House sent to Mr. Agent *Dummer*, of the Twenty-fourth of *June*, 1719. And *these* palpable *Untruths* he raises on the Transactions of *that* late Assembly, to induce the World to believe they had done things *Ex Parte* with a witness Had proper Methods been then taken to discover & punish the Inventor or Publisher of *that* Libel; few or none afterward would have dared to publish any others of *that* Nature and Tendency. Should an Act be made to prevent the Printing any Book or Paper *without* Licence first obtained from the Governour for the time being, no one can foresee the innumerable inconveniencies and dangerous Circumstances this People might Labour under in a little time.

For this Court to send a Present to the five *Indian Nations*, in Conjunction with some of our Neighbours, we cannot think adviseable at this time, for as we know not what Number of Families those Nations consist of, neither are we apprized what our Neighbours intend to send them. And for want of being let into the Knowledge of those things, our good intentions might prove very disadvantageous to the People of this Province in particular; And therefore before this Government Engages in that Affair: We conclude it necessary, that they be fully informed of the Resolutions of the other Governments on this Head.

May it please your Excellency.

The Vote of this House at their last Sessions touching your Support, wherein [12] they Declared, that what had been Granted your Excellency for this present year was an Honourable Allowance, was Resolved after a free and full Debate, and carried by a very great Majority of the Members of the House; and we were then in hopes would have been to your Excellency's Satisfaction and Content, especially considering it was determined after the House was sent for to the Council Chamber, and your Excellency had so plainly let them know your mind on that score. And we must beg leave to acquaint your Excellency, that we account it an Honour and Duty for those that are Governed, chearfully to afford their Governours a Sufficiency honourably to Support the Dignity and Station they stand in. And under these Views as we then did, so we still apprehend the Allowances of this Year to your Excellency, is as much as the Honour and Service of this Government call for. And we take leave further to add, that we firmly believe, that this is not only the Opinion of the Representatives now Assembled, but the mind of the Inhabitants of the several Towns we now Represent, and therefore ought to be of Direction to us in this Affair.

Altho' this Government have not appointed settled Salaries for the Governour, Lieutenant Governour, or Commander in Chief for the time being,; yet inasmuch as they have always made provision suitable to the Dignity of those Respective Offices: And what has been so taken and accepted heretofore by the several Governours, or Commanders in Chief, ever since our present Constitution. We would therefore in all humble wise suppose, that as long as we continue so doing, His Most Gracious Majesty will Receive us into the Number of His Most Loyal and Dutiful Subjects.

March 20th. 1720.

Timothy Lindall, Speaker.

Mr. *Bromfield*, Brought down the Draught of the Proclamation for a Publick Fast. Which was Read.

Voted, That *Thursday* the 20th Day of *April* next, be Observed and Solemniz'd, in all the Towns and Precincts of this Province, as a Day of Publick Fasting with Prayer to Almighty God, upon the present Grounds and Occasions thereof, &

that his Excellency the Governour be desired to Issue forth Proclamation accordingly. Sent up for Concurrence.

The following Vote sent down from the Board by *Benjamin Lynde* Esqr. with sevreal Evidences, Relating to the disturbances therein mentioned, viz. In Council *March 21 1720*. There being at present a very great disturbance between the Town of *Salisbury* in this Province, and the Town of *Hampton*, in the Province of *New-Hampshire*, with respect to some of the Inhabitants that live near the Line of Division, and the Publick Peace being broken.

Ordered, That *John Appleton*, *Benjamin Lynde*, and *John Burrill*, Esqrs. with such as the Honourable House of Representatives shall joyn, be a Committee forthwith to Inquire into the Circumstances of that Affair, and Report what they think proper for this Court to do thereon for the present.

Sent down for Concurrence. Read.

Post Meridiem.

A Memorial of *Addington Davenport*, *Thomas Hutchinson*, *John White* and *Edward Hutchinson*, Trustees for the l. 50000 Loan of Bills of Credit, Presented to [13] the House and Read, Shewing, That they have Received in about l. 37000 of the Principal, and between 7 and l. 8000 as Interest, and that they have Sued and Recovered Judgement on more than 40 Deeds of Mortgage, and desiering Direction from the Court, where Judgment is obtained, or the Persons in Possession are ready to Deliver up the same. Whether such Persons shall be Allowed to continue in Possession during the Term Limitted for Redemption, or any that will Hire the same be put in Possession as Tenants, or what other Course the Court shall think proper to be taken. Committed.

A Message from the Board, by *Penn Townsend*, *Edward Bromfield*, *John Otis* Esqs. and Mr. Secretary *Willard*, viz. In Council *March 21st 1720*. Voted, That a Message be sent down to the Honourable House of Representatives, That the Board have Non-Concurred the Bill for Making and Emitting the Sum of l. 100000 in Bills of Credit on this Province, in such manner as in the said Bill is declared. That the Board are willing (and therefore Propose) that a Reasonable and Sufficient Sum of Province Bills, be made and Emittted this Session, in some just safe and convenient Method (so always that the value of the Publick Bills be not Depretiated) as well as for the Assistance of the Government, the Ease of the Trade, and such as have Taken up of the Publick Monies, as for the Encouragement of the Produce of Manufactures of the Province.

And if the House will Raise a Committee for that purpose, the Board are very willing and ready to joyn in it, and to Communicate to them some Projections that have lately been prepared for that purpose.

Ordered, That *Elisha Cooke*, *Isaac Little*, Esqrs. Mr. *Ebenezer Austin*, Mr.

Nathaniel Knowlton, Col. *William Dudley*, Col. *Henry Somersby*, Mr. *Benjamin Whittemore*, Capt. *William Throop*, and Major *Melataiah, Bourn*, with such as the Honourable Board shall Appoint be a Committee, to Project and Lay before the Court, a Draught of a Bill or Bills, for the Emision of *l. 100000* of Bills of Credit on this Province, in the best and most advantageous manner that may be, for a Medium of Trade and Commerce, and Encouraging the Produce and Mannu-
facturies of the Province. Sent up for Concurrence.

The Vote of the Board, Entered this Day Respecting the disturbance between the Towns of *Salisbury* and *Hampton*. Read and Non-Concurred. And

Ordered, That the Assessors of the Town of *Salisbury*, do continue (as they have always heretofore done) to Rate all the Inhabitants and Estate of that Town, to the Southward of the known & Ancient Boundary & Line that has been Established & Acknowledged between *Salisbury*, & *Hampton*, & between the Provinces of the *Massachusetts-Bay*, & *New-Hampshire*, and that it may, and hereby is declared Lawful for the Inhabitants of *Salisbury*, dwelling to the Southward of the aforesaid Line, to Seiz and Secure any Person or Persons, coming from *Hampton*, pretending to be Constables or Collectors, and carry any such or their Assistance before Lawful Authority, in order to their being Proceeded with, as the Law of this Province directs, relating to Persons pretending to be Constables &c. Roiters or Breakers of the Peace; And that the Select-men of *Hampton*, be Notified immediately of this Order. Sent up for Concurrence.

A Bill, Intituled, An Act, *in Addition to, and Explanation of the Act, Intituled, An Act, for Regulating of Townships, choice of Town-Officers, and setting forth their Power*. Read a 2d time

The Vote of this House for a Committee of both Houses, to Prepare a Bill or Bills, to Emit *l. 100000* Bills of Credit &c. that was sent up this Day, Brought down by *Paul Dudley* Esqr. Concurred with an amendment, *viz.* Instead of the words *One Hundred Thousand Pounds*; to Insert a Reasonable and Sufficeint Sum.

And that *Samuel Sewall*, *Penn Townsend*, *Thomas Hutchinson*, *Samuel Brown*, *John* [14] *Chushing*, *Nathaniel Paine*, and *John Otis* Esqrs. be Joynd with the Committee of the House for the affair aforesaid. Sent down for Concurrence, with a Message, That inasmuch as the Method of Raising and Emitting of Bills of Credit, is left to the Committee to Prepare and Report to the General Assembly. They are of Opinion that it will be best for the Committee, to Consider also of the *Quantum*, or Sum to be Emitted. Read and Non-Concurred.

And Voted, That the House Insist on their Vote. Sent up.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Mercurii 22 Die Martii. 1720. A. M.

A Bill Intituled, An Act, *In Addition to, and Explanation of the Act*, Intituled *An Act, For Regulating of Townships, Choice of Town Officers, and setting forth their Power.* Read a 3d time.

Passed to be Engrost. Sent up for Concurrence.

A Memorial of *Zechariah Bicknel*, Representative of the Town of *Barrington*, Presented to the House, and Read, *Praying*, That this Court will Determine, Whether the said Town ought to be subject to the Taxes made by the Town of *Rehoboth*, for a Tract of Land therein called the hundred Acres Meadows.

Ordered, That the said Memorial be Referred to further Consideration, at next May Sessions.

Ordered, That Mr. *John Clark*, and Col. *Bond* Go up to the Board, and Inquire, Whether they have Pass'd on the Bill prohibiting the Buying, Selling, &c. of Silver Money at higher Rates than are set by Act of Parliament, and the Vote relating to a Medium of Trade. Who returned, that he was told the said Bill was Non-Concurr'd unanimously; & that the said Vote was now under Consideration.

A Petition of *James Dike*, Presented to the House and Read, *Praying*, That his Petition which was dismiss'd the 16th Currant, may be Revived, and Reconsidered for Reasons therein assigned.

Ordered, That the said Petition be Reconsidered.

Ordered, That the Prayer of the said Petition be Granted, and the Petitioner have leave to bring in a Bill accordingly. Sent up for Concurrence.

Ordered, That Capt. *Gardner* and Major *Fullham*, Go up to the Board, and desire, that his Honour the Lieutenant Governour will please to come into the House, who desire to speak with him relating to the Affair of the Committee appointed to Effect Repairs at *Castle-William*, whereof his Honour is the Chairman.

His Honour the Lieutenant Governour came in, and was Discours'd with relating to the said Affair, and withdrew.

Thomas Fitch Esqr. Brought down a Letter of Capt. *Zechariah Tuthill*, to his Honour the Lieutenant Governour, and a Copy of a Letter of the said *Tuthills* to *Oliver Noyes* Esqr. and Mr. *William Clark*, respecting the said Affair, which was Read, and he acquainted the House, that Capt. *Tuthill* was sent for to attend the House therein.

Voted, That a Message be sent up to the Board to Enquire, Whether the Board have passed on the last Vote of this House, respecting the Emitting of Bills of [15] Credit for a *Medium of Trade*. Sent up by Mr. *Boardman*, Major *Bourn*, and Mr. *Crossman*.

Who returned that the Board would send down an Answer.

Isaac Winslow Esqr. Brought down the Vote respecting Emitting of Bills of Credit, &c. Pass'd upon as follows, *viz.* In Council, *March 22. 1720.* Read, and the Board do adhere to their Vote above.

Post Meridiem.

The Vote for a Committee of both Houses to prepare a Bill or Bills, for the Emission of Bills of Credit further Considered: And

Ordered, That the Vote of the House for insisting thereon, as first sent up, be Reconsidered.

Voted, A Concurrence with the Amendment of the Board thereon. Sent up.

An Account of *James Scolley*, for his Service at several times this year as Messenger of the House. Presented to the House for Payment.

Resolved, That the Sum of *Two Pound* and *Ten Shillings*, be allowed and paid out of the Publick Treasury, to Mr. *James Scolley* the Accomptant, in full of his Accompt. Sent up for Concurrence.

Ordered, That Capt. *Joseph Wadsworth*, Mr. *William Payne*, and Col. *Edward Hutchinson* be added to the Committee appointed at the last Session, to take care for securing the East and West Heads of *Castle-Island*, and for making new Carriages. Sent up for Concurrence.

A Petition of *William Jenison* and *Ebenezer Rice*, in behalf of the Town of *Sudbury*, Presented to the House and Read; Praying, That several Farms lying adjoining to the Southern part of *Sudbury*, between that and *Natick*, belonging to no Town, may be Laid to the said Town. And a Petition of *Ebenezer Rice*, and nine others, dwelling on the said Farms. Presented to the House and Read.

Praying, that they may be so annex.

Ordered, That the said Petition be Referred to further Consideration at the next *May* Sessions.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Boston in New-England : Printed by **Pich. Boone**, Printer to the Honourable House of **Representatives.** 1721. [16, blank, 17]

VOTES

Of the House of Representatives.

Jobis 23 Die Martii. 1720. P. M.

THe Petition of *William Salisbury*, Praying as Entered the 18th Currant,
Read again. And

Ordered, That the Prayer of the Petition be Granted: And that the Honourable *Samuel Thaxter*, and *William Dudley*, Esqrs. and Capt. *William Throop*, be a Committee to Run the Lines mentioned in the Petition, seasonably notifying the Towns concerned, of the time of their attending the Service. The charge of the Committee to be defrayed by the Petitioner. Sent up for Concurrence.

The Petition of *Johnson Pearson*, &c. of North Percient in *Lynn*, Praying as Entered the 16th current, further Considered. And Col. *Dudley*, from the Committee offered a Report thereon, which was accepted by the House, and accordingly

Resolved, That the several Assessments made by the Assessors of the *North Precinct of Lynn*, in the year 1717, 1718, 1719, and 1720. are good and legal the said Assessors Chosen for those years being under Oath to the faithful Discharge of their Trust, and that the several and respective Meetings, in which the said Assessors were Chosen, and also a Precinct Clerk be confirmed and fully allowed, as if they the said Assessors had been Chosen a Committee for the Management of the Affairs and Prudentials of that Precinct; and that the present Assessors, *viz.* for the year 1720 be, and hereby are Impowered to Call a Precinct Meeting, some time in this Month of *March*, if it may be conveniently, otherwise in the Month of *April* next, by a Warrant under their Hands, Directed to the Constable, or other Person they shall appoint, to Warn the Freeholders, and other Inhabitants, qualified according to Law, within that Precinct, to Meet at such time and place as the said Assessors shall agree on, and setting forth in the said Warrant, the occasion of such Meeting, *viz.* to Chuse a Precinct Clerk, Assessors and Committee to Manage the Prudentials of the Precinct, a Collector, and all other Officers whatsoever necessary, and as Directed in the Law; and to appoint a Method for Calling Precinct Meetings for the future: Any Law, Usage or Custom to the contrary notwithstanding.

And the Inhabitants of the said Precinct, are hereby Advised and Directed, to proceed in the good work of supporting the Gospel Ministry among them, with Unanimity and good Agreement, that they with their Posterity may reap the happy fruits of it. Sent up for Concurrence.

Post Meridiem.

WHereas this Government, pursuant to the Direction of the Council of War, consisting of the then Governour of this Province, General Nicholson, and the Governours of the Neighbouring Colonies, concerned in an Expedition, by Order of Her late Majesty, Queen Anne, for the Reduction of Port-Royal, Anno 1710. Did Take up, [18] Equip and Pay six Transports Vessels, besides the Transports for their own Troops, that were improved to Transport sundry of Her Majesties Stores, ordered to be sent, and necessary in the said Expedition. And the said Council of War did adjust to each of the Governments, their proportion to the Charge of the said Transports, according to the Quota then appointed by Her said late Majesty; the Proportion to the Province of New-Hampshire, being
To the Colony of Connecticut.
To the Colony of Rhode-Island.

l. 55 —12—8
l. 194—14—3½
l. 111—5 —3½

L. 361—12—3

And whereas the said Governments, have not yet Repaid the said Sums to this Province, so long since advanced for them.

Ordered, That pressing Application be made to each of the said Governments, for the obtaining of the said Debts justly due from them to this Province.

Sent up for Concurrence.

The Petition of *John Chandler*, Praying as Entered the 18th Currant, further Considered, and

Ordered, That the said Petition be Referred to the next *May* Sessions, for further Consideration.

Ordered, That a Message be sent up to the Board, that if any Business is ready to come down from the Board it may be sent, the House having none before them.

A Message from the Board by Mr. Secretary *Willard*, that they have nothing ready to send down.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Veneris 24 Die Martii. 1720. A. M.

A Letter from Mr. *Sayer*, Representative of the Town of *Wells*, Dated *March* 14. 1720. Shewing the reason of his Absence from the House this Session.
Read.

A Petition of *Thomas Creaghead*, Clerk, Minister of the Town of *Freetown*, was Presented to the House and Read, shewing that the said Town Chose such Constables, as refuse to Gather the Taxes for his Salary, whereby he is in great want, there being about l. 200 in Arrears, & due to him from the said Town; *Praying*, That some other Persons may be appointed to Collect the said Rates, or such other Method taken for his Relief, as this Court shall think proper.

A Bill Intituled, *An Act, in addition to an Act, made in the 12th year of King William; Intituled, An Act, Directing how Taxes to be Granted by the General Assembly, shall be Assessed and Collected, and for the Ratifying and Confirming the Proceedings of the Assessors of Precincts, Districts and Parishes, and the Collecting such Rates and Taxes, as may have been made by such Assessors, although not upon Oath.*

Pass'd at the Board to be Engrost.

Sent down for Concurrence. Read.

Col. *Dudley* from the Committee made Report on the Memorial of the [19] Trustees for the l. 50000 Loan of Province Bills, which was accepted by the House, and accordingly.

Resolved, That the said Trustees of the l. 50000 Loan of Province Bills be Impowered and Authorized, to suffer and keep in possession, until the time of Redemption is Expired, any person or persons that have surrendered, or have been Ejected out of their Estates, for not paying the Principal borrowed, and Interest due thereon. *Provided*, such person or persons become & attorn Tenants to the said Trustees, in behalf of the Province, and by some suitable way secure the payment of the Rent of and for such Estates for time to come; and provided such Mortgager in no wise make any strip, waste or spoil on the Lands, &c. Mortgaged; and where any person hath paid no Interest on his Mortgage, in such case before the Trustees allow Repossession, he shall pay all the Interest and Charges due thereon. Sent up for Concurrence.

An Account of *Nicholas Boone*, for Printing and Paper, for this House, &c. & for the Commissioners for the l. 100000 Loan, in the County of *Suffolk*, amounting to the Sum of l. 48. 5. 6. Read and Committed.

Edward Bromfield Esqr. bro't down a Bill prepared by the Committee of both Houses, Intituled, *An Act, For the Making and Emitting the Sum of Fifty Thousand Pounds, in Bills of Credit on this Province, in such manner as is hereafter Expressed.* Read a first time.

Post Meridiem.

A Bill Intituled, *An Act, To Enable James Dike of Gloucester, in the County of Essex, to Prosecute on Appeal from a Judgment given against him, by Epes Sargent Esqr. one of His Majesties Justices of the Peace for the said County, in a Case lately depending before the said Justice, between the said James Dike, and James Sawyer of Gloucester aforesaid.* Pass'd at the Board to be Engrost.

Sent down for Concurrence. Read a first time.

A Bill Intituled, *An Act, For the Making and Emitting the Sum of Fifty Thousand Pounds in Bills of Credit on this Province, in such manner, as is hereafter Expressed.* Read a 2d time.

378 Journal of the House of Representatives

A Bill Intituled, *An Act, For preventing Tumults and Riotous Assemblies, and for the more effectual Punishment of Persons guilty thereof.*

Pass'd at the Board to be Engrost. Sent down for Concurrence.

Read. [20]

And the Question being put, *Whether the Bill have a 2d Reading?*

It Pass'd in the Negative.

An Account of *John Sanders*, for his Service in carrying Expresses for this House to *Berwick*, amounting to l. 3. 10. Was presented to the House for Payment. Read and

Resolved, That the Sum of *Three Pounds, Ten Shillings* be allowed and Paid out of the Publick Treasury, to Mr. *John Sanders*, to Discharge his said Accompt. J Sent up for Concurrence.

A Petition of *William Taylor*, of *Lynn*, Gentleman, Administrator to his late Mother, Mrs. *Rebekah Taylor*, of *Lynn*, Widow, Deceased, *Praying*, that he may be Enabled, by an Act of this Court, to Enter two Actions between him, and *Christopher Taylor*, of *Boston*, Mariner, at the Inferiour Court of Common Pleas, to be holden for the County of *Suffolk*, in *April* next, in his Capacity aforesaid, wherein he now stands barr'd in the Law, for Reasons set forth in the Petition. Sent down from the Board, Passed upon there, viz. In Council, *March 24. 1720. Read and Ordered*, That the Prayer of this Petition be so far Granted, that the *Petitioner* be Impowered to Prosecute his Suit at the Inferiour Court of *Common Pleas*, to be held at *Boston*, for the County of *Suffolk*, in *July* next, and that his Council bring in a Bill accordingly. Sent down for Concurrence. Read.

A Bill Intituled, *An Act, To Enable James Dyke of Gloucester, in the County of Essex, to Prosecute an Appeal from a Judgment given against him by Epes Sargent Esqr. one of His Majesties Justices of the Peace, for the said County, in a Case lately depending before the said Justice, between the said James Dyke and James Sawyer of Gloucester afore-said.* Read a 2d and 3d time, and Pass'd a Concurrence: Sent up.

Thomas Hutchinson, Samuel Brown, Thomas Fitch and Paul Dudley Esqrs. Brought down a Bill, Intituled, *An Act, To prevent the Carrying on an Illegal Trade to Cape Breton, alias Louisbourg, near the Gulph of St. Lawrence.*

Pass'd at the Board to be Engrost. Sent down for Concurrence.

Read a first time.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Sabbati 25 Die Martii, 1721. A. M.

A Bill Intituled, *An Act, In Addition to an Act, Intituled, An Act, against Intemperance, Immorality and Prophaneness, and for Reformation of Manners.* Made in the Eleventh Year of the late Queen *Anne*. Read and Committed.
A Bill Intituled, *An Act, In addition to an Act, made in the Twelfth Year of King*

WILLIAM, Intituled, *An Act, Directing how Taxes to be Granted by the General Assembly, shall be Assessed and Collected: and for the Ratifying and Confirming the Proceedings of the Assessors of Precincts, Districts and Parishes, and the Collecting such Rates and Taxes, as may have been made by such Assessors, although not upon Oath.*

Read a 2d and 3d time. And Pass'd a Concurrence with Amendments. [21]

The Account of *Nicholas Boone*, which was Presented yesterday, further Considered, and the Report of the Committee thereon, which was accepted by the House, and accordingly

Resolved, That the Sum of *Forty Eight Pounds, Five Shillings and Six-pence*, be allowed and paid out of the Publick Treasury, to Mr. *Nicholas Boone*, to Discharge this Accompt. Sent up for Concurrence.

The Petition of *William Taylor*, Praying as Entered yesterday, Read again, and A Petition of *Christopher Taylor*, Gentleman, in answer thereto, and shewing reasons why it should not be Granted. Read.

The Vote of the Board, on the Petition of *William Taylor*, Entered yesterday, Read and Concurr'd. Sent up.

A Bill, Intituled, *An Act, For the Preventing of Libels, and Scandalous Pamphlets, and Punishing the Authors, and Publishers thereof.*

Pass'd at the Board to be Engrost, And sent down for Concurrence. Read.

A Bill, Intituled, *An Act, in Addition to An Act, Intituled, An Act, For the Restraining the taking Excessive Usury, Made and Pass'd, in the Fifth Year of their late Majesties King William and Queen Mary.* Read a first time.

John Cushing, and *Edmund Quincey Esqrs.* Brought down the Bill, Intituled, An Act, in Addition to An Act, made in the Twelfth Year of King *William*. Intituled, An Act, *Directing how Taxes, to be Granted by the General Assembly, shall be Assest, and Collected &c.* With the Amendments of this House thereon, not Agreed, and gave the Reasons why they were Disagreed.

Voted, That the House Insist on the said Amendments, with some small alteration, and that Mr. *Cooke* and Col. *Dudley*, carry up the said Bill, and offer the Reasons of the House for such their Amendments.

A Bill, Intituled, An Act, *To Prevent carrying on an Illegal Trade to Cape-Breton, alias Luis-Bourg, near the Gulph of St. Lawrence.*

Read a 2d. and 3d. time, and Non-Concurred.

An Ingrost Bill, Intituled, An Act, *To Enable James Dyke of Glocester, in the County of Essex, to Prosecute an Appeal from a Judgment given against him, by Epes Seargent Esqr. one of His Majesties Justices of the Peace for the said County, in a Case lately depending before the said Justice, between the said James Dyke, and James Sawyer, of Glocester, aforesaid.* Read and

Resolved, That the Bill do Pass to be Enacted.

Isaac Winslow Esqr. Brought down the following Vote from the Board, *viz.* In Council *March 25 1721.*

W*Her*as the time appointed by Law for the sitting of the Court of General Sessions of the Peace and Inferiour Court of Common Pleas for the County of Essex, at Ipswich, is Tuesday the 28th Instant.

Ordered, That the Justices of the said Court of General Sessions of the Peace, and Inferiour Court of Common Pleas, be Directed to Adjourn the said Courts to some further time, that so the Members of the General Assembly concerned in the said Courts may attend the Publick Business in this Session.

Sent down for Concurrence. Read and Concurred. [22]

Paul Dudley Esqr. Brought down the Bill, Intituled, *An Act, In Addition to an Act, Made in the Twelfth Year of King William, Intituled, An Act, Directing how Taxes to be Granted by the General Assembly, shall be Assessed, Collected, &c.* And acquainted the House, that the Board had agreed to the Amendments of the House made thereto, and had added to the Title these words to couch the said Amendments, *viz. [and to Impower Committees of Precincts, &c. to Call Meetings]* Which was agreed to by the House.

The Memorial of the Trustees for the *l.* 50000 Loan, brought down from the Board, and the Vote of this House thereon, Concurred with Amendments, *viz.* next after the words, and for such Estates for time to come, to Insert *viz.* [Which shall amount to the Interest of the Principal Money borrowed, or so much thereof, as is yet out-standing.]

And to add at the end of the said Vote, *viz. [Provided also, and it is hereby Declared, That the Three Years given by Law, for the Equity of Redemption shall Commence, and go on from the Time either that the Trustees have taken, or may hereafter take Possession, by Execution in Law, or the Surrender of the Party, or the Attornment of the Tenant or Mortgager.]* Read and Agreed.

And then the House Adjourned till Monday Morning next, Three a Clock Afternoon.

VOTES

Of the House of Representatives.

Lunæ 27 Die Martii. 1720. P. M.

Ordere*d*, That Mr. Sayer's Excuse be Accepted, for his absence this Session, he now appearing.

A Bill Intituled, *An Act, For the Making and Emitting, the Sum of Fifty Thousand Pounds, in Bills of Credit on this Province, in such manner as is hereafter expressed.* Read, a 3d time, and past to be Engrossed,

Sent up for Concurrence, by Col. *Dudley*, Major *Chandler*, Capt. *Throop*, Capt. *Gardner* and Mr. *Foster*.

A Letter from Messieurs *James Grant*, *Thomas Butler* and *Humphry Chadbourn*, Dated *Berwick*, *March 24th 1720*, 1. Presented to the House and Read, intimating that by Virtue of a Warrant from this House, they had Seized a considerable number of Logs above *Berwick*, which by the many new Stumps they find, they conclude to have been Cut in the Province.

Voted, That the said Letter, be sent up to the Honourable Board, with a Message, That this House having further certainty of the Strip and Wast, lately Committed, in the Lands of this Province, by some Persons Cutting a very considerable number of Logs, above the Town of *Berwick*. Do therefore desire the Honourable Board to joyn with them in the securing and converting them, for the Use of this Province.

An Engrost Bill, Intituled, *An Act, in Addition to an Act made in the Twelfth Year of King William, Intituled, An Act, Directing how Taxes to be Granted by the General Assembly, shall be Assessed and Collected, and for the Ratifying and Confirming of the Proceedings of the Assessors of Precincts, Districts, and Parishes, and the Collecting such Rates and Taxes, as may have been made by such Assessors, although not upon Oath, and to Impower Committees of Precincts &c. to call Meetings.*

Read and

Resolved, That the Bill do Pass to be Enacted.

A Bill, Intituled, *An Act for preventing of Libels, and Scandalous Phamphlets, and the Punishing the Authors and Publishers thereof.* . . . Read a 2d time.

And the Question being put, *Whether the Bill be Read a 3d time?*

It Pass'd in the Negative.

And then the House Adjourned till to Morrow Morning Nine a Clock. [24]

Martis 28 Die Martii, 1721. A. M.

THe Petition of *Thomas Cragehead*, Praying as Entered the 24th Currant, further considered, and the Report of the Committee thereon, Read and Accepted, and accordingly.

WHereas the Constables, or Collectors of the Town of Freetown, in the County of Bristol, for the Years 1718, and 1719. Do neglect and refuse to Collect and Gather the Rates, or Assessments made for those two Years, altho' two Rate Bills, with sufficient Warrants to them annexed, from the Assessors under Oath of that Town, have been Committed to the two Constables, viz. To George Winslow, Constable in the Year 1718 Amounting to the Sum of Sixty Five Pounds, and Payable to the Reverend Mr. Cragehead, for and towards his Support in the work of the Ministry, in that Town. And to Thomas Durfey, Constable in and for the Year 1719. Amounting to the Sum of Sixty Five Pounds, and Payable as aforesaid, and for the Use aforesaid.

FOr Remedy whereof, and to oblige the said Constables to their respective Duties. It is hereby *Resolved*, and *Ordered*, That the Justices in General Sessions of the Peace, for the said County of *Bristol*, be Impowered and Directed, to Grant out Warrants of Distress or Executions, Directed to the Sheriff of that County, to Distrain the Goods or Estate Real or Personal, of the said defective Constables respectively, to the value of the Sums due from them, and make Sale of such Estate Real or Personal, Returning the Overplus to them, and Pay to the Reverend Mr. *Creagehead*, the said Sums, Amounting in the whole to *One Hundred and Thirty Pounds*. And the Administrators or Executors of *John Hathaway junior*, Constable of said Town for the Year 1717, who had a Rate amounting to the Sum of *Thirty Two Pounds Ten Shillings*, for the Use aforesaid, and Sufficient Warrant to the same annexed from the Assessors under Oath, and who Dyed before the Collecting of the said Rates, be Enabled and are hereby Impowered to Collect the same, and Pay it into the Hands of the Reverend Mr. *Creagehead*, and in Case the said Executors or Administrators, do refuse to Collect the same, that the Rate be Committed into the Hands of Mr. *John Barney*, Deputy Sheriff of that County, who is hereby Authorized and Directed, to follow the Directions of the Warrant to the Rate annexed, and the Rules and Directions of the Law, in that Case made and Provided. Sent up for Concurrence.

A Bill, Intituled, An Act, in Addition to An Act, Intituled, An Act, *For the Restraining the Taking Excessive Usury, Made and Pass'd in the Fifth Year of their late Majesties King William and Queen Mary*, Read a 2d time.

Ordered That Major *Chandler*, and Col. *Dudley*, be a Committee to whom the said Bill is Committed.

Ordered, That Mr. *John Clark*, and Capt. *Gardner*, go up to the Board and inquire, *Whether*, They have Pass'd on the Vote of this House, Re- [25] specting the Logs cut in the Lands of this Province, sent up last Night, who Returned they had not yet.

A Bill, Intituled, An Act, to Revive an Act, Intituled, An Act, to *Enable* William Taylor, of Lynn, in the County of Essex, Gentleman, as he is Adminstrator to the Estate, of Rebekah Taylor, late of Lynn, Widdow Deceased, to Enter two several Actions, at the Inferiour Court of Common Pleas, Held for the County of Suffolk, on the First Tuesday of January, 1720. Against Christopher Taylor, of Boston, in the said County of Suffolk, Mariner, So that he might proceed to Tryal thereof, in order to Recover Judgment for two several Sums, the one of Thirteen Pounds, Six Shillings and Eight-pence, and the other of Twenty Nine Pounds, Three Shillings and Four-pence, against the said Christopher Taylor, for so much due to the said Rebekah Taylor, in her Life time for Rent, which said Accompt was Pass'd at the Sessions Held the 2d November 1720.

Pass'd at the Board to be Engrost. Sent down for Concurrence.

A Message to the Board by Major *Chandler*, Major *Bourn*, Capt. *Throop*, and Capt. *Pomery*, that there is no business lying before the House, Desiring if any is ready to come down, that it might be sent.

Isaac Winslow, *Nathaniel Paine*, and *Samuel Thaxter*, Esqrs. brought down the following Message viz. In Council March 28, 1721. Unanimously Voted, That a Message be sent down to the Honourable House of Representaives. That the Board is ready to Joyn with them, in securing, the Logs cut in the County of York, on the Province Lands, and converting them to the Use either of His Majesty, or this Province, as the Right thereof shall appear, and that his Majesties Justices of the Peace, and Sheriff in the County of York, be directed to Use their utmost Endeavours to find out the Authors and Actors, of this great Spoil of the Woods, that so they may be proceeded with according to Law.

And the Question being put, *Whether* the House Concurr with the Board, in what is proposed in the said Message?

It Pass'd in the Negative, *Nemine Contradicente*.

Ordered, That *Elisha Cooke*, *John Clark*, & *John Wainwright* Esqrs. be a Committee to Aid, and Assist the Attorney General of this Province in Procecuting to Effect in the Law, such Persons as they shall find have made Spoil on the Woods of this Province, and to Secure and Dispose of, for the Use of the Province, such Logs as are cut off the Province Lands above the Town of *Berwick*. And that the Sum of *Thirty Pounds*, be Allowed and Paid out of the Publick Treasury, to Enable them so to do.

Sent up for Conurrence by Capt. *Hale*. Mr. *Crossman*, and Mr. *Bordman*.

Post Meridiem.

A Letter from Mr. *Stevens*, Representative of the Town of *Stow*, Dated *March 27th 1721*. Excusing his absence this Session. Read. [26]

Voted, That Mr. *William Clark*, and Mr. *Wainwright*, go up to the Board, and Inquire *Whether* the Board have Pass'd on the Bill, for Emitting the Sum of *l. 50000* of Province Bills, and on the Vote of this House for sending to the Neighbouring Governments, for Debts due from them, on the Expedition to *Port-Royal*.

A Message from the Board, by *John Appleton Esqr.* That they have Concurred the Vote to the Neighbouring Governments, &c.

A Bill, Intituled, An Act, in Addition to An Act, Intituled An Act, *For the Restraining the taking Excessive Usury, Made and Pass'd in the Fifth Year of their late Majesties King William, and Queen Mary.*

Read a 3d time, and Pass'd to be Engrost. Sent up for Concurrence.

And then the House Adjourned till to Morrow Morning Nine a Clock.

Mercurii 29 Die Martii, 1721. A. M.

O Rdered, That Capt. *Gardner*, Capt. *Throop*, and Capt. *Plaisted*, Go up to the Board and Inquire, *Whether* they have Pass'd on the Bill, for Emitting *Fifty Thousand Pounds*, of Province Bills. And upon the Vote of this House, Relating to the Spoil done on the Province Lands.

An Engrost Bill, Intituled, An Act, *To Enable William Taylor of Lynn, in the County of Essex, Gentleman, as he is Administrator to the Estate of Rebekah Taylor, late of Lynn, aforesaid Widow, to Enter two several Actions, at the Inferiour Court of Common Pleas, Held for the County of Suffolk, on the First Tuesday of January, 1720. Against Chistopher Taylor of Boston, in the said County of Suffolk, Mariner, so that he might proceed to Tryal thereof, in order to Recover Judgment for two several Sums, the one of Thirteen Pounds, Six Shillings and Eight-pence, and the other of Twenty nine Pounds, Three Shillings and Four-pence, against the said Christopher Taylor, for so much due to the said Rebekah Taylor, in her Life-time for Rent, which said Accompt was Pass'd at the Sessions, Held the 2d November, 1720.*

Read and Resolved, That the Bill do Pass to be Enacted.

The House Proceeded to Consider what Members were absent without leave of the House.

Ordered, That Mr. *Greenland's* Excuse be accepted for his Absence this Session.

And the Question being put, *Whether Major Mayhews* Excuse for his Absence this Session be accepted? It Passed in the Negative.

Ordered, That Capt. *Stevens* his Excuse be accepted for his Absence this Session.

Ordered, That Major *Stoddard's* Excuse be accepted for his Absence this Session.

Ordered, That Mr. *Mulford's* Excuse be accepted for his Absence this Session.

And the Question being put, Whether Mr. *Nash* his Excuse be accepted for his Absence this Session? It Passed in the Negative.

Ordered, that Mr. *Dickinson's* Excuse be accepted for his Absence this Session.

And the Question being put, Whether Mr. *Coffin's* Excuse be accepted for his Absence this Session? It Passed in the Negative. [27]

And the Question being put, Whether Capt. *Terry* be Excused for his Absence this Session? It Passed in the Negative.

Ordered, That Mr. *Crane's* Excuse be accepted for his Absence this Session?

Ordered, That Capt. *More's* Excuse be accepted for his Absence this Session.

And the Question being put, Whether Mr. *Bunker* be Excused for his Absence this Session.

It pass'd in the Negative.

Ordered, Mr. *Mayhew*, Mr. *Nash*, Mr. *Coffin*, Mr. *Terry*, and Mr. *Bunker*, be Prosecuted by the Clerk of this House, for their Absence this Session hitherto (including this Day) without leave of the House as the Law directs.

Addington Davenport, *Samuel Thaxter* Esqrs. & Mr. Secretary *Willard*, Brought down the Bill, Intituled, *An Act, For the Emitting of l. 50000 of Province Bills*. Concurr'd with Amendment. And the following Message, *viz.* In Council, *March* 29th. 1721. *Voted*, That a Message be sent down to the Honourable House of Representatives, That the Board Propose, That a suitable Sum of Bills of Credit, over and above the l. 30000 be Lodged in the Publick Treasury, for the Encouraging and Purchasing of Hemp, Flax, or such other Produce of the Province, as may be thought proper.

Read, and some of the Amendments agreed to.

Voted, That the House insist on the Bill as it stands now amended.

Sent up by Col. *Somersby*, Mr. *Knowlton*, Major *Chandler*, Capt. *Throop*, Capt. *Little*, Capt. *Gorham*, Mr. *Hitchcock*, Col. *Bond*, and Capt. *Pumry*.

Post Meridiem.

Voted, That Capt. *Pumry*, Mr. *William Clark* and Mr. *Bordman*, Go up to the Board, and Inquire, Whether there is any Business ready to come down from thence, there being none before this House.

Who returned that nothing was yet ready.

A Bill, Intituled, *An Act, To Prevent Mispending Money in Taverns*.

Read a first time,

John Cushing Esqr. Brought down the Vote of this House, Pass'd Yesterday, for Procecuting those that have made Spoil on the Lands of this Province, Con-

curred with several Amendments. And the said Vote as Amended, is as follows, viz.

Ordered, That Mr. *Samuel Came*, and Mr. *Nicholas Shapley*, with such others of the County of *York*, as the Honourable House shall Appoint, [28] be, and hereby are Impowered and Directed to Prosecute, to Effect in the Law such Persons, as they shall find have made Spoil on the Woods in this Province; and to secure and dispose of, for the Use of His Majesty, or of this Province (as the Right shall appear) such Logs, as are cut off the Province Lands above the Town of *Berwick*.

And that all necessary Charges thereon be Paid out of the Publick Treasury.

Sent down for Concurrence.

Read and Non-Concurr'd *Nemine Contradicente*.

W *Hereas* the Honourable Board, have not seen meet to Concurr with any of the Votes of this House, as sent up to them, for the Seizing and Securing a great number of Logs lately Cut off the Lands belonging to this Province, or for Prosecuting such Persons as have made such Spoil.

Ordered, That *Elisha Cooke*, *John Clark* and *John Wainwright* Esqrs. be a Committee to Aid and Assist the Attorney General of this Province, in Prosecuting to Effect in the Law, such Persons as they shall find have made Spoil on the Lands of this Province.

And to Secure, and Dispose of, for the Use of this Province, such Logs as are Cut off the Province Lands, above the Town of *Berwick*.

And that the Committee Report their Doings, and the Charge attending them to this House, at the next *May*, or Fall Sessions.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Boston in New-England : Printed by **Rich. Boone**, Printer to the Honourable House of **Representatives**. 1721. [29]

VOTES

Of the House of Representatives.

Jobis 30 Die Martii. 1721. A. M.

A Bill Intituled, An Act, *against Mispending Money in Taverns.*
Read a 3d time, and Past to be Engrost.
Sent up for Concurrence.

The Bill Intituled An Act, in Addition to An Act Intituled An Act, *For the Restraining Taking Excessive Usury.* Brought down from the Board, Concurred with an Amendment, Sent down for Concurrence. Read and Non-concurr'd.

The Bill Intituled An Act, *to prevent Mispending Money in Taverns,* Brought down from the Board, Concurr'd with an Amendment. Read and Agreed.

Ordered, That Major *Chandler*, Col. *Dudley*, Mr. *Foster*, & Mr. *Johnson*, Go up to the Board with a Message, to acquaint them that there is no business lying before the House, and inquire whether they have yet Pass'd on the Bill, for Emitting the Sum of *l. 50000* of Province Bills.

Who returned that the said Bill is now under Consideration.

John Appleton, Esqr. and Mr. Secretary *Willard*, Brought down the said Bill, with their former Amendments (which the House had Non-concurred,) not insisted on, and a new Amendment made, which was agreed to by the House.

Post Meridiem.

A N Engrost Bill, Intituled An Act, *To Prevent Mispending of Money in Taverns.* Read and

Resolved, That the Bill do Pass to be Enacted.

Ordered, That Mr. *Winchester*, Go up to the Board and inquire, Whether they have Pass'd on the Vote of this House relating to the Town of *Salisbury*. [30]

An account of *Joseph Chadbourn*, for his service as an Express, from *Berwick*, to this House. Presented to the House for Payment. Read and

Resolved, That the Sum of *Six Pounds, Ten Shillings and Six-pence*, be Allowed and Paid out of the Publick Treasury to Mr. *Joseph Chadbourn*, to discharge the said Accompt. Sent up for Concurrence.

Ordered, That Col. *Dudley*, Col. *Spurr*, and Capt. *Pumry*, Go up to the Board, & acquaint them with the Vote of this House Pass'd Yesterday, Appointing a Committee to Prosecute such Persons, as have made Spoil on the Lands of this Province.

An Engrost Bill, Intituled An Act, *For the Making and Emitting the Sum of l. 50000* in Bills of Credit on this Province, in such manner, as is hereafter Expressed. Read and

Resolved, That the Bill do Pass to be Enacted.

Sent up by Col. *Dudley*, Major *Chandler*, Capt. *Pumry*, Col. *Somersby*, and Col. *Spurr*.

An Account of *Samuel Tyley*, and *Benjamin Rolfe*, of Writting done for this Court, amounting to l. 4 6 0 Presented to the House for Payment. Read, and Resolved, That the Sum of *Four Pounds, Six Shillings*, be Allowed and Paid out of the Publick Treasury to Mr. *Samuel Tyley*, and Mr. *Benjamin Rolfe*, to Discharge the said Account. Sent up for Concurrence.

A Message from the Board by *Samuel Thaxter*, Esq. That they desire a Copy of the last Vote of this House, Appointing a Committee to Prosecute such Persons as have made Spoil, on the Lands of this Province, may be sent up, Which was accordingly done.

And then the House Adjourn'd till to Morrow Morning Nine a Clock.

Veneris 31 Die Martii, 1721. A. M.

Ordered, That Capt. *Gardner*, Mr. *Wainwright*, Capt. *Hale*, Capt. *Throop* and Major *Chandler*, Go up to the Board with a Message, desiring, That what is yet before the Court may be Dispatch't, that the Court may Rise this Forenoon if it may be, and the Members have the advantage of the Afternoon, to Travel Homeward.

Penn Townsend, *John Appleton*, *Isaac Winslow*, *Nathaniel Paine* and *Samuel Brown* Esqrs. brought down the following Message from the Board, viz.

The Board are very much concerned at the Disagreement between them & the Honourable House, referring to the great Spoil alleadged to be lately committed in the Woods, within this Province above *Berwick*, in the County of [31] *York*; and having again considered the several Votes, Orders and Messages passed between the Board and the House upon *that* occasion, are still of Opinion, That *the Amendments* offered by the Board were just and necessary; more especially *the* Clauses saving such *Right* or Interest, as His Majesty might have by Virtue of the *Royal Charter* in the Trees cut down. Neither could the Board think some of the *Committee* Nominated by the House, to have the Management of *that Matter*, suitable Persons for *that* work, and therefore proposed, First the Justices of the Peace, and Sheriff of the County of *York*, and afterwards two other Gentlemen of *that* County (one of them a Member of the House) and to be joyned with such others of *that* County, as the House should appoint, neither of which Proposals were agreed to; and if the House had come *into the Amendments, & Committee* proposed by *the* Board, not only *the* work would have been Effectuated with less Charge, but a proper Regard had to His Majesty's Honour and Interest: Upon the whole, *the* Board are, and shall be on all Occasions as much concerned to secure the Rights of the Province in the Woods, and elsewhere, and to prosecute such as commit any Spoil or Trespass therein as the Honourable House; But they

esteem it the Duty and Interest of this Government, to proceed in this *Matter* with great Regard to the *Royal Charter*, the Acts of Parliament, and His Majesty's Royal Instructions; And hope, that after all this Agitation; the Honourable House of Representatives, will not think it agreeable to the Constitution of the Government, to proceed any further in a Matter of such Consequence, without the Concurrence of the whole General Court. The Board also think it necessary for their Vindication, to Publish the whole of their Proceedings in this Affair.

In Council, *March 31. 1721.* Unanimously.

Voted, the aforesaid Message be sent down.

Ordered, That the Committee, who made the last Bills of Credit on this Province, be Desired and Directed, to Print off and Finish as soon as may be, the Sum of *Fifty Thousand Pounds*, of the said Bills, upon the Plates, and in Proportion as Directed in the Bill Intituled an Act, for the Making and Emitting the Sum of *Fifty Thousand Pounds*, in of Bills Credit on this Province, in such manner as is hereafter Directed, Past this Session, and Deliver them to the Province Treasurer, taking his Receipt for the same, the said Committee to be Paid for their service as for the last they made. Sent up for Concurrence.

Ordered, That Col. *Dudley*, Capt. *Pomry*, Col. *Bond*, Mr. *Hitchcock*, Capt. *Perkins*, and Capt. *Foot*, Go up with a Message, to his Excellency the Governour Requesting that the Court may Rise.

A Message from the Board by Mr. Secretary *Willard*, That his Excellency the Governour expects that this Honourable House, Attend him forthwith in the Council Chamber. [32]

Mr. *Speaker*, and the House went up accordingly, and his Excellency made a short Speech to the Court.

And Mr. *Secretary*, by order of his Excellency the Governour, Declared the Court to be Dissolved.

Boston in New-England : Printed by Rich. Boone, Printer to the Honourable House of Representatives. 1721.

N. B. *The following Vote should have been Inserted with the Votes of Monday last past, but by some mistake was omitted.*

Voted, That Mr. *John Clark*, Mr. *Wainwright*, Capt. *Gardner*, Mr. *Foster* and Capt. *Throop*, Go up with a Message to the Board.

That the House have seen a Proclamation for a Publick Fast, wherein it is inserted, *At the Motion of the House of Representatives*; the contrary whereof the House have manifested by their Votes.

And have therefore Directed the Members, to whom they were Delivered, to carry to their several Towns, to forbear Delivering them at present.

Index

Abbot, Nehemiah, member for Andover, 111, 227, 234.
Abjuration, oath of, 1, 111, 227, 234.
Acts, expiring, committee on, 9, 256; interpretation of, 9.
Adams, Archelaus, petition, 65.
Adams, Henry, member for Medfield, 1, 111.
Adams, James, member for Barrington, 2; attends, 65.
Adams, Joseph, of Chelmsford, petition, 190.
Adams, Mary, petition, 190, 200.
Adams, Peter, *captain*, 292.
Adams, William, 305, petition, 274, 284.
Aikin, John, member for Dartmouth, 227, 234.
Alford, James, 222.
Alford, John, 222.
Allegiance, oath of, 198, 201, 209.
Allen, Benjamin, of Bridgewater, 99; petition, 115.
Allen, Ebenezer, of Chilmark, account, 202, 233, 241; petition, 329.
Allen, Elizabeth, petition, 335.
Allen, George, 335.
Allen, Jeremiah, treasurer, 306; accounts, 11, 13, 17, 19, 120, 127, 237, 251, 269; election, 44, 56, 248; allowance, 55, 105, 170, 264; three-name bills, 76; loan accounts, 77, 218, 251, 263; report, 180; memorial, 313, 330.
Allen, John, *captain*, of Charlestown, 62, 78, 126, 132.
Amesbury, 351; representatives, 1, 111, 227, 235.
Andover, representatives, 1, 111, 227, 234.
Andrews, Anne, petition, 103, 133, 181, 184, 188.
Andrews, John, 103, 133.
Andros, Sir Edmund, 198.
Antelope, 176.
Appleton, John, treasurer of Essex, accounts, 20, 244.
Appleton, John, 113, 137, 169, 177, 188, 216, 265, 268, 338, 350, 364, 366, 384, 388; councillor, 2, 112, 230; Salem parishes, 186; Hampton-Salisbury, 371.
Appleton, Samuel, *colonel*, boundary line, 42.
Apprentices, transported out of province, 71, 73, 80, 86.
Arms, John, of Deerfield, petition, 292.
Armstrong, John, of Ireland, petition, 83, 91, 92.
Arnold, Richard, of Providence, 196.
Arrests, causeless, 141, 144.
Arrowaick, 176; Indian treaty, 61, 268, 325, 334, 348; troops, 269.
Arundel, formerly Cape Porpus, 118, 128; protection, 145.
Ashley, Daniel, 203.
Ashley, John, Hatfield's petition, 87; member for Westfield, 111; Austin's petition, 139; loan accounts, 185.
Ashley, Samuel, of Westfield, petition, 203.
Assanamisco, *see* Hassanamisco.

Assemblies, riotous, 164, 378.
Assize of cask, 16, 27; bread, 256, 257, 262; *see* Pitch.
Athearn, Jabez, of Tisbury, petition, 329.
Attleborough, 139; representatives, 2, 111, 227, 234; bounds, 71; Wrentham line, 164, 197, 198, 250.
Attorney General, election, 42, 94, 147, 160, 161, 248; *see* Paul Dudley; John Valentine; Thomas Newton.
Atwood, Ephraim, member for Dighton, 2.
Atwood, Joseph, of Dighton, petition, 146, 158, 183; member for Dighton, 227.
Auchmuty, Robert, 304, 305; petition, 142.
Augusta, town erected, 87, 94.
Austin, Anthony, of Suffield, petition, 110, 131, 139.
Austin, Ebenezer, 257; member for Charlestown, 227, 234; treasurer's accounts, 269; bills of credit, 371.
Austin, John, member for Suffield, 1, 111, 227, 234; petition, 33, 34, 131, 139, 341; warrant, 292; excused, 312.
Ayers, Edward, petition, 12, 14, 18.
Ayers, John, 14, 72, 74.
Ayers, Joseph, petition, 12, 14, 18, 71, 72, 73, 74.
Ayers, Mark, petition, 12, 14, 18.
Ayers, Nathaniel, petition, 12, 14, 18, 72, 73, 74.
Ayers, Thomas, petition, 12, 14, 18, 71.
Bacon, Thomas, member for Wrentham, 111.
Baker, Thomas, *captain*, petition, 23, 26, 71; member for Brookfield, 111; cutting timber, 212.
Balch, Samuel, member for Beverly, 111; election sermon, 115; encouraging husbandry, 122; Kennebeck Indians, 192; Craighead's petition, 212.
Ballentine, John, *lieut.-col.*, 104.
Ballentine, John, Jr., petition for Worcester, 153, 301.
Bane, Lewis, *captain*, 4, 174, 202; member for York, 2; petitions, 11, 39, 194, 196; Eastern Indians, 21; Eastern settlements, 30; Harvard College, 32; memorial, 43; bounds of Falmouth, 77, 87, 89; Armstrong's petition, 83; town for Irish, 92; journal, 132; letters, 144, 167.
Bannister, Samuel, of Leicester, assessor, 78.
Bannister, Samuel, of Boston, petition, 154, 180, 181, 340, 347, 349.
Bannister, Thomas, of Boston, 340, 347, 349.
Bant, Mathias, 339.
Barbadoes, 339.
Barker, John, 138, 163, 225; member for Scituate, 111; on petitions, 115; Harvard College, 117; petition, 125, 179; extravagance, 148; Kennebeck Indians, 192; warrant to, 211; towns near Groton, 211.

- Barker, Thomas, *captain*, member for Pembroke, 111, 227, 234; excused for absence, 216.
- Barnard, John, of Boston, 202, 208.
- Barnard, Samuel, member for Deerfield, 227.
- Barnes, Thomas, of Brookfield, petition, 209.
- Barney, John, 382.
- Barns, John, of Boston, memorial, 76; petition, 301.
- Barnstable, 163; representatives, 1, 111, 227, 234; treasurer's accounts, 30, 117, 232, 241; loan accounts, 75, 77, 132, 141, 337; fence against wolves, 88; tax, 98; Indians, 252.
- Barrel, Abiah, 6, 183, 204.
- Barrel, John, of Boston, petition, 6, 183, 204, 210, 211, 216.
- Barret, Joseph, 190, 200.
- Barrington, representatives, 2, 111, 227, 234; town officers, 197, 198; tax question, 373.
- Barron, Moses, *captain*, member for Chelmsford, 1.
- Barrow, Samuel, member for Middleborough, 227, 234.
- Bartlett, Daniel, of Mendon, petition, 162, 165, 166.
- Barton, Thomas, of Salem, representation, 76.
- Basset, William, 314; commissioner of loan, 77, 132; Wrentham-Attleboro line, 198, 250.
- Bates, Jonathan, of Cohasset, petition, 12.
- Baxter, Joseph, missionary, memorial, 11, 41, 47, 48, 58, 85.
- Beacon Island, 204.
- Beal, Lazarus, member for Hingham, 125, 227, 234; petition, 342.
- Beel, William, 39.
- Belcher, Andrew, 48.
- Belcher, Jonathan, 7, 12, 26, 28, 51, 52, 59, 114, 130, 139, 148, 158, 216, 227, 234; councillor, 2, 112, 230; petition, 48; Harvard College, 81; impost accounts, 81, 147; memorials, 99, 100, 195, 201; Higginson's petition, 104; jurymen's oath, 104; Dummer's letter, 147; account, 202.
- Bell, John, 71; petition, 127, 330, 342.
- Bellingham, 203; tax, 308.
- Bennet, James, 305.
- Bennett, John, member for Middleborough, 1; petition, 322.
- Bent, Hopedistill, petition, 348.
- Bernon, Gabriel, of New Oxford, petition, 312, 322.
- Berwick, 195; representatives, 2, 111, 185, 227, 234; Wells line, 44, 122; petition, 279; protection, 282, 283.
- Beverly, representatives, 1, 111, 227, 234.
- Bickwell, Zachariah, member for Barrington, 111, 227, 234; meeting-house, 148; excused, 278; memorial, 373.
- Biddeford, representatives, 111; tax, 120; protection, 128; petition, 242.
- Bill, Samuel, of Boston, petition, 25, 26, 151, 152, 201, 204.
- Billerica, representatives, 1, 111, 227, 234.
- Billing, Benjamin, of Dorchester, 335, 344, 349, 350.
- Billings, John, of Dorchester, petition, 53, 127, 281.
- Billings, —, 205.
- Billingsgate, 16, 62, 64, 69, 73; changed to Pool, 72.
- Bills, royal instructions on, 132.
- Bills of credit, support of, 4, 10, 12; burning, 7, 12, 59, 77, 83, 106, 117, 175, 184, 269, 287; Connecticut, 7, 175; loan of, 19, 41, 123, 126, 140, 154, 160; emission of, 26, 28, 32, 36, 43, 92, 93, 96, 105, 168, 190, 199, 201, 203, 211, 215, 216, 218, 254, 315, 317, 322, 325, 331, 333, 340, 347, 360, 361, 362, 363, 367, 368, 371, 372, 377, 381, 383, 385, 387; funds, 45, 58, 130, 168, 245, 333; deficiency in funds, 52, 54; special emission, 54; counterfeit, 59, 61, 62, 267, 270, 274, 282, 284, 285, 289, 298, 299, 300; exchange of, 63, 64; burnt, replaced, 76; three-name, 76, 84, 96, 97, 102, 106, 107, 117, 120; in Connecticut, 117; value of, 236, 247; other colonies, 249; printing, 389.
- Binfill, William, 339.
- Bixby, John, of Boxford, petition, 182.
- Blackstone River, bridge, 13, 40.
- Blagrove, Nathaniel, commissioner of loan, 77.
- Blegget, Thomas, member for Lexington, 111.
- Blin, James, 239, 240.
- Bond, Jonas, *major*, of Watertown, 263, 345, 373, 385, 389; petitions, 29, 94; member for Watertown, 234; college building, 244; Milton petition, 250; treasurer's accounts, 269; hemp premium, 286; medium of trade, 291.
- Books, of piety, 18.
- Boone, Nicholas, printer to the House, 226; account, 289, 295, 377, 379.
- Borage, William, of Scarborough, petition, 87, 92.
- Borden, Richard, 262.
- Bordman, Andrew, 158, 224, 245, 368, 373, 383, 385; Harvard College, 58, 116, 117; member for Cambridge, 111, 234; treasurer's accounts, 237; Milton petition, 258; address to King, 340.
- Boston, 327; representatives, 1, 111, 227, 234; powder house, 109, 128, 131, 156, 157; batteries, 114; proposals for the public good, 127; slate and tile roofs, 128, 134, 135; bill, 147, 149; lotteries, 174; notary public, 248, 259, 282; merchants on medium of trade, 358, 368.
- Bounds, county, 71; province, 262.
- Bourne, Melatiah, *major*, 49, 229, 273, 368, 373, 383; Crocker's petition, 23; member for Sandwich, 227, 234; college building, 244; bills of credit, 249, 372; Quakers, 263; Kennebeck Indians, 277; medium of trade, 291; petition, 314.
- Bowditch, William, of Salem, representation, 76.
- Bowers, Jerahmeel, petition, 72.
- Bowles, John, of Roxbury, petition, 18.
- Bowman, Francis, member for Lexington, 227, 234.

- Bowman, Joseph, *captain*, member for Lexington, 1.
 Boxford, representatives, 1, 111, 227, 235.
 Boyd, Archibald, petition, 65, 84, 91, 92.
 Boydell, John, 353.
 Braddick, John, of Long Island, N.Y., petition, 121, 129.
 Bradduck, widow, 107.
 Bradford, William, *major*, 25.
 Bradford, representatives, 1, 111, 227, 235.
 Bradford's claim, 25, 44.
 Bradstreet, Simon, descendants, 110.
 Braintree, representatives, 1, 111, 227, 234;
 White's land, 251, 318, 327.
 Brattle, William, of Cambridge, 224.
 Bray, Samuel, 305, 306.
 Bread, assize of, 256, 257, 262.
 Breed, Allen, petition, 11, 26.
 Brewer, John, 160.
 Brewer, Martha, 160.
 Brewer, Nathaniel, of Roxbury, petition, 18, 57.
 Bridge Valley, 72.
 Bridger, John, alleged orders, 43, 52; charges
 against Cooke, 109, 149.
 Bridges, Benjamin, appeal, 81, 85.
 Bridgetown, constituted, 194.
 Bridgewater, 129, 318, 327; representatives, 1,
 111, 227, 234; Edson's petition, 177; meeting-
 house, 181, 261, 278, 279; south precinct, 194;
 ministry, 213.
 Bridgham, Henry, petition, 64, 68.
 Bright, Nathaniel, of Watertown, petition, 289.
 Brimfield, 212; enlargement, 135; Brookfield
 line, 135; settlement, 135.
 Bristol, 382; representatives, 1, 111, 227, 234;
 loan accounts, 75, 77, 141, 311, 337; tax, 98;
 treasurer's accounts, 118, 250; notary public,
 248, 259, 282.
 Bromfield, Edward, 17, 25, 110, 144, 155, 156,
 253, 364, 370, 371, 377; councillor, 2, 112, 230;
 Baxter's memorial, 41, 58, 85.
 Brookfield (Quaboag), 14, 72, 205, 240; town
 privileges, 79, 209; Indian attack, 85; repre-
 sentatives, 111, 231; tax, 120; Brimfield line,
 135; land, 181.
 Brookline, representatives, 1, 227, 234; enlarge-
 ment of, 8.
 Brooks, Ebenezer, of Medford, petition, 40.
 Brousdon, Robert, of Boston, 25, 52, 56.
 Brown, Andrew, of Cape Porpus, petition, 66, 85.
 Brown, Edmund, petition, 348.
 Brown, Hopestill, of Sudbury, petition, 137;
 member for Sudbury, 227, 234; college build-
 ing, 244.
 Brown, John, member for Reading, 111, 227, 234.
 Brown, Joseph, member for Amesbury, 111.
 Brown, Samuel, 51, 158, 229, 378, 388; councillor,
 2, 112, 230; Billingsgate petition, 73; bills of
 credit, 93, 372; Indian boundaries, 256, 259;
 trade with Cape Breton, 308.
 Brown, Thomas, 305.
 Buckley, Mary, 88, 259.
 Buckman, Jeremiah, of Ipswich, 138, 257; peti-
 tion, 32, 42.
 Buckminster, Joseph, *colonel*, 104, 143, 326;
 member for Framingham, 1, 111; accepted, 3,
 10; election questioned, 5, 10; petitions, 27, 29,
 32, 69, 70, 81, 85, 204, 207, 294, 303; land, 108;
 warrant to, 211.
 Budd, John, petition, 13, 53.
 Budd, Rebeckah, 13, 53.
 Bullard, Samuel, of Sherborn, petition, 303, 320.
 Bullion, export prohibited, 26, 30, 37, 38.
 Bunker, George, member for Nantucket, 111,
 227, 235; Kennebeck Indians, 192; college
 building, 244; Castle William, 278; medium of
 trade, 291, 301; excuse, 385.
 Bunker, John, 39.
 Burbank, John, of Suffield, petition, 19.
 Burnap, Joseph, printer Green's farm, 179, 243.
 Burrill, John, speaker, 63, 130, 131, 221, 237, 249,
 274, 350, 367; member for Lynn, 1, 111; elected
 speaker, 2, 112; absent, 25; councillor, 230;
 bills of credit, 249; Indian boundaries, 256,
 259; Kennebeck Indians, 277; Hampton-
 Salisbury, 371.
 Butler, Thomas, logs, 364, 366, 381.
 Butt, Samuel, of Canterbury, Conn., 335, 344,
 349, 350.
 Butt, Sherebiah, of Dorchester, 335, 344, 349,
 350.
 Butterworth, Joseph, of Swanzev, 332.
 Byfield, Nathaniel, 28, 48, 51, 84, 91, 139, 141,
 145, 152, 167; councillor, 3, 113, 230; Baxter's
 memorial, 41; Harvard College, 81; bills of
 credit, 93, 96; Rhode Island boundary, 189,
 260; Kennebeck Indians, 198; rejected as
 councillor, 232.
 Caesar, wreck of the, 104.
 Calves, killing, 150, 160, 162.
 Calve skins, tanned, exportation prohibited, 38,
 39, 63, 64, 72, 160, 162.
 Cambridge, representatives, 1, 111, 227, 234.
 Came, Samuel, 364; loan account, 188, 197;
 member for York, 227, 234; petition, 282, 283;
 prosecuted, 350; spoiling woods, 386.
 Campbell, John, postmaster, petition, 50, 67.
 Canada, charges for expedition, 34, 48, 176; loan
 money, 83, 287; captives, 133, 316.
 Candles, export of, 187.
 Cane, David, 306, 355.
 Canso, disaster at, 267.
 Canterbury, Archbishop of, 343, 346, 351.
 Cape Breton, French at, 267; trade with, 308,
 309, 329, 330, 345, 359, 369, 378, 379.
 Cape Porpus, ministry, 66; named Arundel, 118,
 128; protection, 128, 345; settlement, 118, 128,
 131.
 Carder, Elizabeth, petition, 260, 261, 265.
 Carlisle Bay, Barbadoes, 339.
 Carolina, condition of, 4.
 Carpenter, Daniel, member for Rehoboth, 111,
 227, 234.

- Carr, James, of Salisbury, petition, 29, 36, 37, 47, 49, 71.
 Carr, Richard, of Salisbury, petition, 29, 36, 37, 47, 49, 71.
 Cary, Nathaniel, of Charlestown, petition, 76.
 Casco Bay, 30, 131; Irish immigrants, 83; troops, 269, 345.
 Cask, assize of, 16, 27; deceit in gauge, 94, 102, 108.
 Castle William, 114; victualling, 6, 30, 121, 126, 232, 239; repairs, 38, 50, 63, 64, 67, 146, 155, 183, 185, 271, 373; garrison, 64; wages, 200, 292; investigation, 278, 290; muster rolls, 306, 312, 313, 355; rules of garrison, 332.
 Cattle, regulation of, 13, 16, 17, 22, 27; young, 159, 162.
 Causes, review of civil, act, 6, 9, 16, 295, 298, 302, 303.
 Cawley, John, *captain*, 144, 164; member for Marblehead, 1, 111; naval stores, 5; bills of credit, 10; Wakefield's petition, 39; excise and tunnage, 40; security of frontiers, 65; tax apportionment, 120; Castle William, 146; repairs to Fort George, 155; schools, 195; Wells' petition, 201.
 Chabaqueduck, 34, 35, 107.
 Chabauaguncomug Pond, 68.
 Chadbourn, Humphry, logs, 364, 366, 381.
 Chadbourn, Joseph, account, 387.
 Chamberlain, John, 107.
 Chambers, Charles, 4, 23, 47, 61, 112, 140, 149, 157, 209, 221; member for Charlestown, 1, 111; bills of credit, 6, 10, 77, 175; common lands, 11; treasurer's accounts, 13, 19, 120; impost duties, 19; loan trustees' accounts, 19, 38; Harvard College, 32, 58, 116, 117; Castle William repairs, 38, 50, 63, 146; excise and tunnage, 40; letter to Dummer, 41, 135; Baxter's memorial, 41; counterfeit bills, 62; Indian rights, 67; commissioner of loan, 73; Billingsgate petition, 74; instructions to agent, 92, 149; Bond's petition, 95, 95; Falmouth petition, 104; election sermons, 115; bills of credit funds, 130; address to King, 149; impost bill, 150; lighthouse, 166; Dummer's letter, 176; Salem parishes, 186; expiring acts, 256.
 Chandler, John, *major*, 228, 229, 230, 233, 235, 240, 248, 259, 263, 273, 275, 276, 285, 286, 293, 301, 304, 325, 346, 361, 362, 363, 366, 368, 381, 383, 385, 388; Springfield-Enfield boundary, 30, 86; Sutton bounds, 57, 142, 146; Rhode Island boundary, 128; Northampton-Hatfield line, 194, 284; member for Woodstock, 227, 234; on petitions, 231, 269; treasurer's accounts, 238, 269; governor's speech, 239; college building, 244; counterfeiting, 270; Castle William, 278; highways, 294; Watertown division, 296; Lancaster grant, 303; swine, 304; letter to Dummer, 321; White Hall farm, 325; address to King, 340; Salem assessments, 361; petition, 365, 376; usury, 382.
 Chapin, Joseph, 306; petition, 200, 292; affidavit, 313, 314, 355, 356.
 Chapin, Josiah, *captain*, 46, 93, 314; member for Mendon, 1, 111, 227, 234; monitor, 5, 114, 227; Johnson's petition, 41; Sutton bounds, 57; Indian rights, 67; excused, 249.
 Charles River, bridge at Watertown, 94, 200, 251; Charlestown, 300.
 Charlestown, representatives, 1, 10, 111, 227, 234; precept to elect, 5; bridge at, 300.
 Charter, powers, 173, 219, 351; print on, 294.
 Chauncey, Nathaniel, of Durham, petition, 90.
 Chauncy, Charles, 90.
 Chebacco, 32, 257; lines with Ipswich, 101, 103, 138; petition, 138.
 Chebisco, Dego, Casco Bay, 151.
 Checkley, Samuel, treasurer of Suffolk, accounts, 23, 132, 244.
 Checks, clerk of the, 306.
 Chelmsford, 205, 308; representatives, 1, 111, 227, 234.
 Chequest Neck, 182.
 Chicopee River, 103.
 Children, posthumous, interpretation of law, 21.
 Chilmark, representatives, 2, 111, 227, 235.
 Chipman, John, member for Sandwich, 111.
 Choate, Thomas, petition, 138.
 Church, Thomas, member for Little Compton, 2, 111; petition, 62, 78, 105, 126, 132; tax apportionment, 120; warrant to, 211; excuse for absence, 217.
 Clap, Steven, member for Scituate, 227, 235; college building, 244.
 Clark, Anne, of Portsmouth, petition, 243.
 Clark, Henry, Berwick-Wells line, 44, 122.
 Clark, John, 1, 3, 28, 36, 51, 130, 135, 143, 144, 152, 156, 159, 165, 168, 249, 263, 269, 302, 304, 328, 329, 331, 353, 360, 362, 364, 365, 366, 368, 373, 383, 389; councillor, 2, 112, 230; on Baxter, 58, 85; account, 69; instructions to agent, 92, 168; Higginson's petition, 104; jurymen's oath, 104; Bridger, 109; bills of credit, 117; treasurer's accounts, 120, 127, 237; bills of credit funds, 130; loan accounts, 132, 134, 186, 232, 251; Dummer's letter, 147; impost bill, 150, 164; lighthouse, 166; Salem parishes, 186; rejected as councillor, 232; member for Boston, 234; governor's speech, 239, 364; Milton petition, 250; boundaries, 262; Five Nations, 276; Kennebeck Indians, 277; false musters, 280, 305; protection to towns, 282; hemp premium, 286; Watertown division, 296; Willard's allowance, 313; medium of trade, 314; Nutfield, 315; Rase, 341; fast day, 361; cutting trees, 362, 366, 383, 386.
 Clark, Samuel, of Ipswich, petition, 62, 177, 272.
 Clark, Sarah, of Portsmouth, petition, 243.
 Clark, William, 113, 140, 224, 225, 226, 228, 229, 238, 257, 259, 261, 301, 325, 343, 346, 353, 358, 363, 365, 384, 385; member for Boston, 111, 227, 234; Dummer's letter, 176; address to King, 207; loan accounts, 218, 263, 311; prov-

- ince income, 240, 245; college building, 244, 270; bills of credit, 249; on petitions, 269; treasurer's accounts, 269; hemp premium, 286, 315; Castle William, 290; soldiers for east, 342; medium of trade, 360; seizing logs, 366.
- Clayer, Peter, of Framingham, petition, 5, 10.
- Cleasby, Ezekiel, of Boston, 153.
- Cleasby, Ezekiel, Jr., petition, 153.
- Cleasby, Prudence, petition, 153.
- Clerk of House, election of John White, 2, 112, 228, 235.
- Clerk of the checks, 306.
- Cobbett, John, petition, 319.
- Cobbitt, Thomas, of Ipswich, 319.
- Coffin, Enoch, elected representative, 269; member for Edgartown, 285.
- Coffin, Joseph, 148; member for Nantucket, 2; Harvard College, 32.
- Coffin, Nathaniel, 140, 228; member for Newbury, 111, 227; Piscataqua River and duties, 135; Dummer's letter, 177; Kennebeck Indians, 192; towns near Groton, 211; medium of trade, 301; excuse, 385.
- Cogswell, Adam, of Ipswich, petition, 83, 128, 192.
- Cohasset, 12.
- Coit, Nathaniel, member for Gloucester, 1, 111.
- Cole, Hugh, of Swansey, petition, 315, 332.
- Cole, Stephen, petition, 119.
- Collins, John, *rev.*, 340.
- Colman, Benjamin, *rev.*, Harvard College, 81; sermon, 191, 214; building, 296.
- Colman, John, petition, 18, 27, 44.
- Colman, Nathaniel, of Hatfield, petition, 68, 194.
- Comestock, Samuel, of Providence, 323; petition, 196, 205.
- Comptroller of customs, 325.
- Concord, 205, 308; representatives, 1, 111, 227, 234.
- Concurrence, new form of, 156, 157, 159.
- Conference of the Houses, 46, 47, 62, 157, 159, 211, 214; on impost bill, 150, 151; Indians, 277, 343; trade with Cape Breton, 309; Rasle, 341; soldiers, 345.
- Connecticut, 340; bills of credit, 7, 117, 175, 249; Massachusetts bills, 117; Port Royal expedition, 376.
- Connecticut River, 116; new towns, 93, 101, 104.
- Cook, John, Jr., member for Tiverton, 266; attends, 325.
- Cooke, Elisha, 112, 126, 129, 132, 139, 143, 217, 249, 252, 263, 266, 273, 275, 293, 294, 307, 334, 339, 341, 343, 353, 358, 362, 364, 365, 366, 368, 379; councillor, 3; member for Boston, 111, 227, 234, 289; negatived by governor, 3; petition, 24, 44, 57, 66, 67, 104, 108, 109; memorial, 47, 52, 53; account, 69, 186; on petitions, 115, 158, 204; Harvard College, 117; letter to Dummer, 135, 241; Piscataqua River and duties, 135; lands and debts, 140, 176; duty on rum, 146; narrative, 148, 160, 168; address to King, 149, 207; Dummer's instructions, 149; bills of credit, 175, 249, 315, 371; governor's speech, 176, 179, 219, 239, 245, 364, 367; Castle William, 183, 185; Salem parishes, 186; New Hampshire boundary, 187; towns near Groton, 201; elected speaker, 228; rejected by governor, 229; treasurer's accounts, 237, 251; boundaries, 262; counterfeiting, 270, 274; letter to Indians, 276, 279; Five Nations, 276; Kennebeck Indians, 277, 278; false musters, 280, 332; protection to towns, 282, 283; Norton tax bills, 285, 288; Nutfield, 289; excise, 291, 313; medium of trade, 291, 308, 314, 324, 360; civil causes, 298; Willard's allowance, 313; Rasle, 341; soldiers for east, 342; fast day, 361; cutting trees, 362, 383, 380.
- Cooke, Nicholas, of Dedham, petition, 200.
- Coomes, Hephzibah, petition, 11, 17, 20, 22, 33.
- Coomes, Richard, petition, 11, 17, 20, 22, 33.
- Cooper, John, 306, 355, 356.
- Corbing, James, of Woodstock, 154.
- Cordee, Elizabeth, petition, 243.
- Cordwainers, petition, 150.
- Cordwood, fraud in, 32, 35, 38.
- Cotton, John, *rev.*, 340.
- Cotton, John, of Newton, petition, 231, 244.
- Cotton, Josiah, of Plymouth, notary public, 282.
- Cotton, —, 81.
- Council, rule of concurrence, 34, 157, 158; 'Upper House,' 157; defense, 166, 169; adjournment, 262; on muster rolls of Castle William, 357; no business, 376.
- Councillors, election, 1, 6, 112, 228, 229.
- Counterfeit, bills of credit, 59; punishment, 61, 267, 270, 282, 284, 285, 289, 298, 299, 300; committee, 62, 270.
- County, settlement of bounds, 71; public charges, 71; loan accounts, 107; rates, 161.
- Court, General, expediting business, 55; prorogued, 60, 110, 171, 226, 265; qualification of members, 203, 205, 209, 211; dissolved by governor, 233, 389; fast days, 362.
- Coye, John, of Wenham, petition, 85.
- Coye, Richard, of Brookfield, 85.
- Craighead, Thomas, of Freetown, 133, 134; petition, 212, 213, 376, 382.
- Crane, Benjamin, member for Dighton, 234; Lancaster grant, 303; Norton line, 316; excuse, 385.
- Cranston, Samuel, letter, 189, 217.
- Credit in trade, limiting, 34, 40, 43.
- Crocker, Joseph, petition, 23, 244.
- Crook, Thomas, 131.
- Crossman, Robert, 257, 346, 373, 383; member for Taunton, 1, 227, 234; manufacture of iron, 6; Austin's petition, 33; college building, 244; excused, 274; medium of trade, 291.
- Curtis, Ephraim, petition, 348.
- Curtis, William, petition, 11.
- Cushing, John, 4, 9, 13, 45, 139, 141, 158, 238, 249, 256, 273, 347, 379, 385; councillor, 3, 113, 230; bills of credit, 93, 372; meeting-house, 248.

- Cushing, Thomas, 160.
Cutler, John, 121.
- Daggett, John, member for Attleborough, 227.
Damaris Cove, 6.
Danforth, Samuel, petition, 25, 44; new towns, 93.
Danforth, Thomas, grant, 151.
Darling, John, of Dedham, petition, 200, 203.
Dartmouth, representatives, 1, 3, 22, 111, 227, 234.
Davenport, Addington, 3, 12, 36, 40, 41, 85, 111, 113, 132, 138, 142, 149, 150, 152, 159, 166, 215, 225, 248, 252, 257, 265, 274, 289, 343, 350, 364, 385; councillor, 2, 112, 230; loan trustee, 19, 126, 260, 287, 371; Billingsgate petition, 73; bills of credit, 93; Salem parishes, 186; New Hampshire boundary, 187, 262; Kennebeck Indians, 277; letter to Dummer, 315.
Davenport, Richard, member for Bridgewater, 1, 111, 227, 234.
Daventry (Swampfield), 79.
Debts, double payment of, 34, 40, 43; prisoners for, 85, 87, 88, 90, 320; lands in payment, 140, 164, 174, 176, 180, 183, 190, 192.
Declaration, subscription to, 1, 111, 227, 234.
Dedham, 139, 200; representatives, 1, 111, 227, 234; tax, 308.
Deeds, registry of, 277, 278, 287, 291.
Deerfield, representatives, 1, 111, 227, 235, 237.
Delano, Jonathan, member for Dartmouth, 111.
Denison, John, *major*, 27, 36; member for Ipswich, 1; bills of credit, 6; expiring acts, 9; rateable estates, 13; on petitions, 21; Town's petition, 23; Wadleigh's petition, 41; boundary line, 42; Castle William repairs, 63; town taxes, 73; Higginson's petition, 101.
Dickinson, John, 240; member for Hatfield, 1, 111, 227, 234; cutting timber, 212; excused, 231, 367, 385.
Dighton, representatives, 2, 111, 227, 234; confirmation, 146.
Dike, James, of Gloucester, petition, 361, 373, 377, 378, 379.
Dixby, Mary, petition, 301.
Doane, Hezekiah, petition, 162.
Doane, John, 64.
Dodson, Jonathan, of Freetown, petition, 133, 134, 142, 151, 153.
Dogamus, Peter, 289, 292, 300.
Dogs, keeping of, 33, 35; unruly, 157, 159, 162.
Doorkeeper to council, *see* John Flagg.
Dorchester, 129, 318, 327; representatives, 1, 111, 227, 234.
Dover, 351.
Dowse, Jonathan, 5, 6, 28, 60, 87, 88, 159, 280, 307; member for Charlestown, 1; councillor, 2, 4, 112, 230; commissioner of loan, 73.
Drury, Thomas, petition, 116.
Dudley, Joseph, 229.
Dudley, Paul, 12, 26, 34, 51, 73, 82, 132, 142, 145, 149, 227, 229, 234, 238, 289, 294, 372, 378, 380; councillor, 7, 113, 230; attorney general, 45; Higginson's petition, 89; judge, 94; address to King, 207.
Dudley, William, *colonel*, 3, 7, 27, 47, 88, 112, 144, 156, 160, 161, 163, 168, 172, 177, 207, 211, 216, 228, 229, 233, 240, 263, 266, 269, 273, 274, 276, 277, 279, 280, 282, 289, 293, 314, 322, 325, 328, 330, 344, 345, 346, 353, 362, 365, 367, 377, 379, 381, 383, 387, 388, 389; member for Roxbury, 1, 111, 227, 234; bills of credit, 6, 10, 175, 249, 372; Woodward's accounts, 9, 17; Town's petition, 23; Castle William repairs, 38, 146, 155; letters to Dummer, 41, 135, 241, 321; election civil officers, 44; Cooke's memorial, 47, 53; security of frontiers, 65; New York boundary, 69, 187; town tax, 73; allowance for prisoners, 103; encouraging husbandry, 122; Oxford land, 137, 181; Sutton bounds, 146, 195; extravagance, 148; address to King, 149; Dummer's instructions, 149; impost bill, 150, 164; petition for Worcester, 153; repairs to Fort George, 155; unruly dogs, 157, 159; governor's speech, 176, 239, 364; sale of land, 181; Salem parishes, 186; New Hampshire boundary, 187; probate judges, 194; Northampton-Hatfield line, 194, 284; Waldo's petition, 197, 318; Kennebeck Indians, 209, 238, 240, 260, 270; on petitions, 231, 269; Wrentham-Attleboro line, 250; White's land, 250, 279, 281, 308, 327; Leicester memorial, 255; expiring acts, 256; boundaries, 262; letter to Indians, 276; Five Nations, 276; protection to towns, 282; Nutfield, 289, 315; Oxfordshire, 295; Watertown division, 296; Lancaster grant, 303, 317; impressment, 304; petition, 312; Swanzy, 333; soldiers for east, 342; medium of trade, 360; Salem assessments, 360, 363; cutting trees, 362; Shawomet line, 375; usury, 382.
Dudley, William, of Leicester, petition, 71, 78.
Duelling, punishment, 139, 142, 144, 145.
Dukes county, tax, 98; loan accounts, 132, 141, 337; sessions of court, 133, 135, 137; accounts, 233, 241.
Dummer, Jeremiah, agent, 149, 220, 369; letters, 38, 130, 135, 137, 176, 237, 238, 299, 304, letters to, 41, 47, 55, 59, 106, 135, 137, 138, 142, 146, 149, 204, 241, 242, 316, 317, 319, 340, 347; instructions, 92, 149, 168, 262; allowance, 108, 215, 348; Marion's case, 352.
Dummer, William, lieutenant governor, 38, 63, 183, 306, 373; councillor, 2, 112, 230; allowance, 55, 170, 264, 265, 347; memorials, 64, 122, 278, 290; Harvard College, 81; Hopkinton lands, 207, 209, 212; accounts, 271, 276; muster rolls, 309, 355.
Dunstable, 14, 72, 84, 93, 103, 104, 153, 208.
Durfey, Thomas, 382.
Duties on English or European goods, 145, 149, 150, 152, 158, 159, 164, 169; disallowed, 173.
Duxbury, representatives, 1, 111, 227, 235.

- Dwight, Henry, of Hatfield, 273, 325; loan accounts, 185; order to, 240; petition, 273, 295.
 Dwight, Timothy, 154, 209.
 Dyer, Gyles, memorial, 199; petition, 202, 208, 209, 263, 352.
 Dyer, John, treasurer of Plymouth, accounts, 9, 232, 241; notary public, 259.
- Eastern settlements, committee, 30, 195; defense, 87, 128, 133, 144, 145, 148, 249, 261, 269, 283, 345; journal of Bane, 132.
 Eastham, 16, 62, 64, 119, 182; representatives, 1, 111, 227, 234.
 Eaton, Jabez, of Plympton, 73; petition, 198.
 Eaton, Jonathan, appeal, 81, 85.
 Eaton, William, of Lynn, petition, 361.
 Edgartown, representatives, 2, 111, 269; precept to elect, 270, 285; court at, 298.
 Edgcomb, Robert, of Winter Harbor, petition, 8.
 Edson, Josiah, of Bridgewater, petition, 177, 194.
Elizabeth, 304.
 Ellis, Joseph, member for Dedham, 227, 234.
 Emerson, Edward, petition, 363.
 Endicott, Benjamin, of Topsfield, petition, 312.
 Enfield, representatives, 1, 227, 235; boundary hearing, 9, 28, 29; committee, 30, 86; tax, 167.
 England, treaty with France, 269.
 English, Philip, petitions, 56, 74, 76, 78, 121, 186.
 Enlistment, not impressment, 307.
 Ephraim, Simon, Indian, petition, 251, 269.
 Essex county, treasurer's accounts, 20, 244; town taxes, 21; loan commissioners, 72, 115, 140, 206, 311, 336; tax, 97; sessions of court, 138, 141, 164, 165, 244, 245, 248, 249, 317, 380.
 Estate, rateable, of province, 9, 13, 16, 23, 27, 34, 35, 36, 41, 45, 46, 48, 50, 51; lists, 72.
 Estates, intestate, 33, 40, 166; taxation, 167.
 Evans, Jonathan, 25, 52, 56.
 Evans, Mary, petition, 25, 49, 52, 56.
 Evans, Robert, of Mendon, petition, 195.
 Excise on wines, 1718, 21, 32, 35, 36, 43; 1720, 291, 313, 320, 325.
 Exeter, 35.
 Extravagance, restraint of, 148, 162, 163.
- Fadre, Nathaniel, petition, 274.
 Falmouth, 42; settlement, 30; bounds, 77, 87, 195, 204; wolves, 88; Irish immigrants, 91; petition, 104; representatives, 111, 227, 234, 237; tax, 120; protection, 128, 145.
 Faneuil, Andrew, petitions, 128, 134, 158, 219, 223, 281, 286; relief, 134, 135.
 Farewell, Isaac, of Medford, petition, 361.
 Farley, Michael, member for Ipswich, 111; warrant to, 211; excuse for absence, 216.
 Farnsworth, John, 53, 258.
 Farrington, Theophilus, petition, 11.
 Farrington, William, petition, 11, 27.
 Farrow, William, of Hingham, 135.
 Fasts, contribution, 17; appointed, 361, 367, 368, 370, 389; method, 362, 364.
- Fayal, island of, 25.
 Fayerweather, John, 264.
 Fayerweather, Thomas, petition, 290, 302.
 Fees, regulation, 141, 144; grand-jurors, 202, 203, 207, 212.
 Fellows, Richard, 103.
 Fences, regulation of, 13, 16, 17, 22, 26.
 Ferries, regulation of, 35, 36, 38.
 Field, John, 316.
 Fish, Samuel, of Falmouth, petition, 23, 33, 40, 48.
 Fish, culling of, 9, 17, 35, 40, 45.
 Fisher, Ebenezer, member for Wrentham, 227, 234; excused, 285.
 Fisher, John, member for Medfield, 227.
 Fishery, protection of, 33; encouragement, 320, 322, 328.
 Fitch, Thomas, 12, 36, 51, 55, 139, 157, 160, 215, 225, 229, 252, 255, 256, 259, 268, 273, 276, 289, 290, 299, 316, 347, 362, 373, 378; councillor, 2, 112, 230; English petition, 74, 78; Higginson's petition, 104; jurymen's oath, 104; encouraging husbandry, 122; Dummer's letter, 147; Connecticut bills of credit, 175; New Hampshire boundary, 188; address to King, 207; Milton petition, 258; Kennebeck Indians, 277; trade with Cape Breton, 308; letter to Dummer, 315.
 Five Nations, 276, 349, 370.
 Flagg, John, doorkeeper, allowance, 56, 108, 170, 216, 264, 348.
 Flagg, John, petition, 152.
 Fleet, Thomas, of Boston, petition, 182.
 Flegg, Eliezer, of Woburn, petition, 78.
 Flynt, Henry, Harvard College memorial, 81.
 Fobes, Edward, of Bridgewater, petition, 181, 182.
 Fobes, Ephraim, of Bridgewater, petition, 213.
 Foot, John, *captain*, 353, 389; member for Amesbury, 227, 235.
 Forman, Samuel, member for Freetown, 111, 227, 234.
 Fort George, Brunswick, 155; muster rolls, 306.
 Fort Mary, Winter Harbor, 132; muster, 305.
 Fortune, Richard, 339.
 Foster, Chillingworth, member for Harwich, 1.
 Foster, John, 164, 225, 233, 245, 249, 257, 272, 331, 381, 389; member for Plymouth, 111, 227, 235; extravagance, 148; Kennebeck Indians, 192; college building, 244; Quakers, 263; medium of trade, 291, 360; petition, 323.
 Fowle, Mary, of Woburn, 208, 294, 303.
 Foxcroft, Francis, of Cambridge, petition, 151.
 Foye, John, *captain*, 47, 140, 156; member for Charlestown, 10, 111; loan trustees' accounts, 19, 132; Castle William, 64, 68; bills of credit, 77, 175.
 Framingham, 138; representatives, 1, 111, 227, 234; defective return, 3; election questioned, 5; selectmen admonished, 10; suit with Weston, 69; appeal, 81, 85.
 France, treaty with England, 269.

- Freeholders, qualification of, 321.
 Freeman, David, 45, 55, 100; member for Attleborough, 2, 234; petition, 250.
 Freetown, 148; representatives, 111, 227, 234; ministry, 133, 382.
 Frenchmen, wrecked, 223; in Canso affair, 267.
 Frink, Thomas, of Sudbury, petition, 8, 137.
 Frizel, John, petition, 57.
 Frontiers, security of, 65, 74, 79, 102; lands, 116, 123.
 Frost, Charles, 122, 198, 291, 366; town for Irish, 92; member for Kittery, 111; councillor, 113, 114, 230; memorial, 128, 145.
 Fullam, Francis, 3, 7, 36, 46, 47, 186, 229, 235, 259, 261, 273, 275, 286, 329, 366, 368, 373; member for Weston, 1, 111, 227, 234; on petitions, 6, 115, 231, 269; Higginson grant, 14, 84, 152; bills of credit, 28; Austin's petition, 33; excise and tunnage, 40; town taxes, 73; frontier lands, 116, 123, 191; encouraging husbandry, 122; lands and debts, 140, 176; duty on rum, 146; extravagance, 148; impost bill, 150; governor's speech, 176; Dummer's letter, 177, 321; Indian lands, 178; probate judges, 194; schools, 195; towns near Groton, 201, 208; impost receipts, 240; Five Nations, 276; proprietors' lands, 282; hemp premium, 286; excise, 291; medium of trade, 291; impressment, 304; Westborough, 331; Shrewsbury, 331.
 Galley, province, 134.
 Gallop, Benjamin, 74.
 Gardner, John, *captain*, 135, 144, 149, 154, 155, 156, 158, 186, 209, 211, 221, 224, 239, 248, 249, 251, 259, 261, 263, 273, 275, 325, 329, 343, 345, 346, 347, 353, 360, 362, 364, 368, 373, 381, 384, 388, 389; member for Salem, 111, 234; frontier lands, 116; treasurer's accounts, 120; Higginson's survey, 125; unruly dogs, 157; bills of credit, 175; Dummer's letter, 177; printer Green's farm, 179, 243; New Hampshire boundary, 188; towns near Groton, 201; governor's speech, 239, 364; college building, 244; boundaries, 262; Quakers, 263; on petitions, 269; Kennebeck Indians, 277; proprietors' lands, 282; Nutfield, 289, 293, 307, 309, 315; medium of trade, 291, 301; White's farm, 319; Cobbett's land, 319; address to King, 340; petition, 360.
 Gardner, Thomas, *captain*, member for Brookline, 1; petition, 8.
 Gates, Simon, 222, 286, 290, 299, 310.
 Gates, Stephen, 286, 290, 299.
 Gaud, John, petition, 188, 204.
 Gauging of liquors, 69; casks, 94, 102, 108.
 George I, 4; instructions to governor, 17, 132; address to, 149, 207, 218, 340, 345, 353.
 George Town, 325, 334; house for Indians, 66; petition, 176; surly Indians, 255.
 Gerriah, Samuel, account, 214.
 Gilbert, Henry, of Brookfield, petition, 71.
 Gilbert, Thomas, of Brookfield, petition, 209.
 Gloucester, representatives, 1, 111, 227, 235.
 Glover, Nathaniel, 335, 344, 349, 350.
 Glover, Pelatiah, petition, 135, 154, 212; accounts, 233, 241.
 Godfery, Joanna, 36, 38, 42.
 Godfery, John, 36, 38, 42.
 Goff, Edmund, *colonel*, 228, 233, 340, 347, 349; member for Cambridge, 227; petition, 323, 330.
 Gold, *see* Gould.
 Gold, export prohibited, 26, 30, 37, 38.
 Goodhue, Nathaniel, petition, 138.
 Gookin, Samuel, Sheriff of Middlesex, Newton precept, 118, 125; precepts to towns, 231; reprimanded, 232.
 Gore, —, *captain*, 275.
 Gore, or outlet, Shawomet, 365.
 Gorham, Shubal, *captain*, 245, 335, 385; member for Barnstable, 1, 227, 234; Harvard College, 32; town taxes, 73; college building, 244; excused, 290; medium of trade, 301; prosecuted, 350.
 Gospel, propagating of the, 163, 213.
 Got, John, member for Wenham, 227, 234.
 Gould, Mary, of Branford, petition, 103.
 Gould, Nathaniel, of Harwich, petition, 119, 177, 182.
 Gould, Thomas, of Branford, petition, 103.
 Governor, troop of guards, 199; royal instructions, 353; *see* Samuel Shute.
 Gowing, Nathaniel, of Lynn, petition, 361.
 Grain, exportation, 174, 221.
 Grand-child, under posthumous act, 21.
 Grand-jurors, fees, 202, 203, 207, 212.
 Grant, James, member for Berwick, 2; Eastern Indiana, 21; memorial, 43; petition, 44, 92, 98; seize logs, 364, 366, 381.
 Gray, Edward, of Boston, petition, 286.
 Gray, John, member for Harwich, 234; excuse, 266; captain, Fort Mary, 305, 306; prosecuted, 350.
 Great Britain, credit of, 115; trade and shipping, 152.
 Green, Bartholomew, 357; account, 32, 139, 271, 276; refuses to print Journal, 226.
 Green, John, account, 103, 109.
 Green, Samuel, of Leicester, assessor, 78.
 Green, printer, farm, 125, 179, 243.
 Greenland, John, member for Malden, 227, 234; excused, 243, 361, 384.
 Greenleaf, Enoch, of Boston, petition, 190; bill, 201.
 Gregg, James, 293; petition, 134, 315.
 Grey, —, *captain*, letter, 132.
 Groton, 14, 79, 82, 84, 90, 93, 102, 104, 152, 193; representatives, 1, 111, 227, 234; town near 62, 105, 208, 211, 215, 256, 258; lands, 157.
 Guardship, 33.
 Guild, Samuel, *captain*, member for Dedham, 111.
 Gulliver, Jonathan, of Milton, petition, 249.
 Gunnison, Elihu, member for Kittery, 142; memorial, 145; warrant to, 185.

- Gunpowder, sale of, 239.
 Gyles, John, memorial, 155; on Indians, 242, 268; captain, Fort George, 306.
- Hadley, representatives, 1, 111, 227, 234.
 Haines, David, 348.
 Hale, Joseph, 344; member for Boxford, 227, 235.
 Hale, Thomas, *captain*, 304, 345, 383, 388; petition, 62; member for Newbury, 234.
 Halkerston, James, account, 70, 109, 187, 217.
 Hall, George, petition, 316.
 Hall, Hugh, Jr., petition, 67.
 Hall, Joseph, member for Yarmouth, 227, 234.
 Halloway [Hallowell], Nathaniel, 162, 165, 166.
 Halloway [Hallowell], Timothy, petition, 14, 44, 162, 165, 166.
 Hamilton, Joseph, petition, 88.
 Hamlet, 32, 103, 138, 257.
 Hammond, John, 2; member for Rochester, 1, 111.
 Hammond, Joseph, 5, 7, 29, 74, 87, 148, 198; member for Kittery, 2; councillor, 3, 4, 113, 230; Eastern Indians, 21; town for Irish, 92; memorial, 128, 145.
 Hammond, Joseph, treasurer of York, accounts, 18, 118.
 Hampshire county, sale of liquor, 70; court, 97, 98; tax, 98; loan accounts, 107, 185, 311, 338; accounts, 233, 241; session of courts, 244, 245, 248, 249.
 Hampton, 351; taxes Salisbury, 41, 280, 328; disturbances, 371, 372.
 Hard, John, petition, 119.
 Hardin, Thomas, petition, 6.
 Harman, Johnson, *captain*, 334, 348.
 Harris, Timothy, member for Rowley, 227, 235.
 Harvard College, 167, 216; enlargement of, 5, 35; memorial of overseers, 22, 31; committee, 32, 35; grant for building, 58, 116; memorial, 81, 100; students' rents, 118; building, 244, 270; Massachusetts Hall, 271, address on, 296.
 Harvey, Thomas, of Taunton, petition, 16, 22; appeal, 36, 38, 42.
 Harwich, 119, 182; representatives, 1, 111, 227, 234.
 Hassanamisco, Indian lands, 13, 40, 361; Sutton line, 142, 146, 195.
 Hastings, Thomas, of Hatfield, petition, 67, 68, 70, 194, 273.
 Hatch, Estes, 286.
 Hatfield, representatives, 1, 111, 227, 234; petition, 39, 87, 94, 131, 186, 189, 192, 194; Northampton bounds, 68, 284; wolves, 273.
 Hathaway, John, Jr., 382.
 Haughton, Jonas, 90.
 Haverhill, 72, 293, 351; representatives, 1, 111, 227, 235; north bounds, 212.
 Haward, Ephraim, of Norton, petition, 85.
 Haws, William, 37.
 Hawse, Benjamin, 289, 295; petition, 39, 46, 77.
 Hayden, Josiah, of Sudbury, petition, 137.
 Hayes, John, light-house keeper, 76, 88; petition, 166; allowance, 178, 179, 301.
- Haynes, David, 93.
 Haynes, John, of Sudbury, memorial, 293.
 Haynes, Joshua, of Sudbury, memorial, 293.
 Haynes, Peter, 140; member for Sudbury, 111; excuse for absence, 218.
 Hayward, Samuel, of Dedham, petition, 139, 175.
 Hayward, Thomas, of Bridgewater, petition, 181, 182.
 Haywood, Anthony, 243, 261.
 Haywood, Powell, 265.
 Hearings on private petitions, 196.
 Heath, William, of Roxbury, petition, 18.
 Hedge, John, member for Yarmouth, 111; treasurer's accounts, 120.
 Hemp, encouragement of, 4, 27, 29, 33, 37, 221, 385; method of raising, 174, 177; premium, 286, 315.
 Henchman, Daniel, account, 156.
 Henchman, Nathaniel, of Boston, petition, 34, 43.
 Herrick, John, account, 281, 284.
 Herrick, Joseph, *captain*, 284, 345; member for Beverly, 1, 227, 234; petition, 280.
 Herring Pond, Rochester, 49.
 Hetheway, Isaac, of Dighton, petition, 146.
 Hichborn, Thomas, petition, 6.
 Hides, raw, exportation prohibited, 38, 39, 63, 64, 72, 160, 162.
 Higginson, John, 64, 69; councillor, 2, 112; land for, 8, 14, 125, 179, 243; petition, 53, 79, 82, 84, 89, 101, 104, 152, 155.
 Highways, private, 37; act, 294, 314.
 Hill, Abraham, of Charlestown, for light-house keeper, 76.
 Hill, Joseph, *captain*, member for Wells, 2, 111; Eastern Indians, 21; Eastern settlements, 30; memorials, 43, 128, 145; bounds of Falmouth, 77, 87, 89; petition, 195, 196; cutting timber, 212.
 Hiller, Joseph, 160, 344, 349; notary public, 259, 282; memorial, 343, 344, 346, 351.
 Hingham, 13; representatives, 1, 111, 125, 227, 234; precept to elect, 114.
 Hitchcock, Luke, 143, 154, 225, 346, 353, 385, 389; member for Springfield, 1, 111, 227, 234; Austin's petition, 33, 139; petition, 79; Hatfield's petition, 87; loan accounts, 185.
 Hobby, Sir Charles, 44.
 Hobby, William, 44.
 Hodges, John, member for Norton, 2.
 Hodges, Samuel, member for Norton, 227, 234.
 Hoit, *see* Hoyt.
 Holbrook, Eliezer, member for Sherborn, 1, 227, 234; excused, 277.
 Hopkins, Edward, trustees of legacy, 51.
 Hopkins, William, of Providence, 196.
 Hopkinton, 138; White Hall, 28, 32; Buckminster's land, 108; lands, 207, 209, 212.
 Hospital, Spectacle Island, 50, 326; public, 65.
 Houghton, John, member for Lancaster, 1, 111; warrant to, 188.

- Houghton, Jonas, 283.
 House of Representatives, oaths and declaration, 1; speaker, 2, 111, 228, 235; clerk, 2, 112, 228, 235; orders, 5, 114, 228, 237; monitors, 5, 114, 228, 237; prints journals, 8, 108, 119, 139, 231, 241; election dinner, 22, 149, 243; rule of concurrence, 34; prorogued, 60, 110, 171, 226, 265; grant of money, 74; desires to rise, 106, 259, 388; Bridger's charge, 149; evil expressions by member, 238, 239; on governor's speech, 245; messenger, 295; absent members, 300; meet once a day, 302; no business, 304, 329, 376, 385.
 Houssatunnuck, 341, 342.
 How, John, of Framingham, petition, 5, 10.
 How, Thomas, *major*, 162, 286; member for Marlborough, 1, 111; Johnson's petition, 41; Bond's petition, 95; petition for Worcester, 153; sale of land, 181; Northampton-Hatfield line, 194.
 Howard, Ephraim, of Bridgewater, 126, 129, 316.
 Howard, John, of Bridgewater, 126, 129.
 Howlet, Samuel, *major*, 46; member for Topsfield, 1.
 Hoyt, Thomas, member for Amesbury, 1; memorial, 43.
 Hubbard, Isaac, petition, 94.
 Hughs, —, 238.
 Hunt, John, *captain*, member for Weymouth, 1.
 Hurst, George, of Lynn, petition, 361.
 Husbandry, encouraging, 122, 141, 142.
 Hutchinson, Edward, *colonel*, 2, 3, 7, 38, 41, 61, 81; member for Boston, 1; bills of credit, 10, 28, 77, 93; rateable estates, 13; treasurer's accounts, 17; impost accounts, 19, 81, 147; impost duties, 19; loan trustee, 19, 126, 260, 371; speaker *pro tem.*, 25; Harvard College, 32, 35; letter to Dummer, 41; election civil officers, 44; Cooke's memorial, 47, 53; counterfeit bills, 62; Castle William accounts, 63; account, 65; instructions to agent, 92; Higginson's petition, 101; allowance for prisoners, 103; petitions, 103, 176, 177; Falmouth petition, 104; on Indians, 242, 249; Castle island, 374.
 Hutchinson, Thomas, 12, 28, 63, 70, 152, 159, 160, 252, 378; councillor, 2, 112, 230; loan trustee, 19, 126, 260, 371; on Baxter, 58, 85; instructions to agent, 92; Dummer's letter, 147; bills of credit, 372.
 Hutchinson, William, petition, 31, 37.
 Ilsley, Joseph, petition, 81.
 Immorality, 378.
 Impost, accounts, 19, 51, 81, 147; duties, 19, 21, 47; election, 42, 147, 148, 168, 248; bill, 149, 150, 151, 152, 154, 155, 156, 158, 160, 163, 164, 166, 167, 169, 237, 238, 239, 240; deputy, Kittery, 238; amount of, 240; *see* Shipping.
 Impresment, prevention, 304; of soldiers, 307.
 Indians, rum sold to, 5, 48, 49, 55, 56, 255; Baxter, missionary, 11, 58, 85; captives, 17, 26; Eastern, 21, 48, 115, 174, 179, 236, 242, 267, 268, 270, 272, 273, 274, 277, 325, 334, 347, 349; preventing abuses to, 27, 28, 33, 35, 37; Nantucket, 39, 89, 91, 100, 289; lands and Sutton, 57, 146; outrages, 61; house at George Town, 66; insolence, 144, 249; drowning of, 167; Norridgewog, 176, 255, 269, 270, 348; Kennebeck, 177, 179, 180, 186, 192, 198, 199, 208, 209, 215, 221, 224, 238, 240, 255, 269, 271, 275, 276, 277, 278, 331; Mashpa, 233; truck houses, 236, 247; treaties, 247; Penobscot, 248, 255, 256, 275, 279; Natick, 251, 269; Barnstable, 252; boundaries, 256, 257, 259; Five Nations, 276, 349; presents, 359, 370.
 Intemperance, immorality and profaneness, 378.
 Intestates, estates of, 33, 40.
 Ipswich, representatives, 1, 111, 227, 234; jail, 83; lines with Chebacco, 101, 103, 138.
 Ireland, immigrants, 65, 83, 91, 104, 106, 134, 175, 212, 318; ship from, 172.
 Ireson, Richard, of Marblehead, petition, 277, 290, 295, 299.
 Iron, manufacture of, 6, 18, 20, 26, 41, 43, 66.
 Ivers, James, of Boston, petition, 286, 315.
 Jackson, George, of Marblehead, petition, 198.
 Jackson, Jonathan, of Scituate, petition, 134.
 Jacobs, David, 135.
 Jails, allowance for provisions, 153.
 James, Patience, of Hingham, petition, 135, 150, 153, 188.
 James, Thomas, of Hingham, petition, 135, 150, 153, 188.
 Jaques, Stephen, petition, 81.
 Jaques, Stephen, Jr., notary public, 259, 282.
 Jeffries, Arthur, 74, 90.
 Jencks, Joseph, *lieut. gov.* of Rhode Island, letter, 84.
 Jencks, William, 323.
 Jennings, Joseph, of Brookfield, petition, 209.
 Jennings, Samuel, Crocker's petition, 23.
 Jennison, William, petition, 348, 374.
 Jesuits, arousing Indians, 61; *see* Rasle.
 Jewel, John, petition, 348.
 Jewet, Joseph, member for Rowley, 1, 110.
 John, Indian, 288.
 Johnson, Ebenezer, petition, 283.
 Johnson, Edward, 90, 283.
 Johnson, Elisha, of Sutton, petition, 13, 40, 64, 67.
 Johnson, Isaac, 302.
 Johnson, John, of Woodstock, petition, 302.
 Johnson, Richard, member for Lynn, 227, 234; account, 361.
 Jones, Samuel, 243, 258.
 Jordan, Dominicus, of Scarborough, petition, 87, 92.
 Jordan, Samuel, 325, 326, 328.
 Joseph, negro, of Boston, 286.
 Journeying, unnecessary, of representatives, 70, 73.
 Judges of Superior Court, allowance, 55, 170, 223, 264, 347; probate, 192, 194, 202, 211, 213, 214.

- Jurymen, oaths of, 97, 98, 100.
 Justices of Peace, power of, 97, 98, 100, 323, 324.
- Keep, Samuel, of Springfield, petition, 215.
 Kennebeck River, 6, 345; Indians, 177, 179, 180, 186, 192, 198, 199, 208, 209, 215, 221, 224, 255, 259, 269, 271, 275, 278; missionary, 331, 338.
 Kenney, Nathaniel, of Kittery, 184.
 Kenny, Nathaniel, of Leicester, assessor, 78.
 Kent, John, of Suffield, 96; petition, 19, 34.
 Kent, Richard, *captain*, 38, 225; member for Newbury, 1, 111; Salem parishes, 186.
 Keteticut, 148.
 Kidder, John, 126.
 Kimball, Richard, *captain*, member for Bradford, 1, 235; Nutfield, 293.
 Kimball, Thomas, member for Bradford, 111.
 Kingston, 351.
 Kittery, representatives, 2, 22, 111, 142, 185, 227, 234; precept to elect, 5, 114; shire town, 10; upper parish, 179; impost deputy, 238; notary public, 248, 259, 282; protection, 282, 283.
 Knights farm, Hamlet precinct, 138, 257.
 Knowles, Samuel, member for Eastham, 227, 234, 331; excused, 358, 365.
 Knowlton, Nathaniel, 272, 331, 344, 385; member for Ipswich, 227, 234; medium of trade, 291, 314, 360; bills of credit, 372.
 Knowlton, Thomas, of Ipswich, 138, 257; petition, 32, 42.
- Lamb, Joshua, of Leicester, assessor, 78.
 Lamb, Samuel, of Springfield, 205.
 Lancaster, 79, 82, 93, 102; representatives, 1, 111, 188, 227, 234; lands, 157, 256, 258, 303, 317, 324.
 Lands, common, law, 11; frontier, 116, 123; protection of Province on grants, 125; payment of debts, 140, 164, 174, 176, 180, 183, 190, 192; sale of, allowance for petitions, 202, 203, 207, 212; charges of common, 250, 257, 261, 282, 285, 287.
 Lane, John, *captain*, 123.
 Larrabee, John, 306; affidavit, 313, 314, 355, 356.
 Laws, explanation wanted, 179.
 Leader, Richard, 243.
 Lealand, Henry, 251.
 Learned, Ebenezer, of Oxford, petition, 137.
 Learned, Thomas, 200; petition, 251, 270.
 Leather, upper, exportation prohibited, 38, 39, 63, 64, 72, 160, 162; sole, 150.
 Leicester, proprietors of, 71, 79; ministry, 71, 78; land, 181; representatives, 234, 237, 268; memorial, 255.
 Leighrig, Robert, impressed, 300, 304.
 Leighton, John, member for Kittery, 22; memorial, 43; town taxes, 73; bounds of Falmouth, 77, 87, 89; loan account, 188, 197; petition, 194, 196; cutting timber, 212; to arrest Rasle, 272, 329, 331.
- Lemmon, Elizabeth, 242, 261.
 Leonard, James, of Norton, petition.
 Leonard, —, Mrs. 288.
 Leverett, John, Sr., 24, 66.
 Leverett, John, Jr., 167; petition, 24, 57, 66, 67; allowance, 55, 170, 343; memorial, 210, 214; on building, 296.
 Lewis, Ebenezer, treasurer of Barnstable, accounts, 30, 117, 232, 241; commissioner of loan, 77, 132.
 Lexington, representatives, 1, 111, 227, 234.
 Libel, punishment for, 9, 379, 381.
 Light-house, fund, 21, 147; keeper, 76, 77, 87; election, 88; allowance, 106; gallery, 166.
 Lincoln, Daniel, of Cohasset, petition, 12.
 Lindall, Timothy, 2, 4, 6, 33, 41, 42, 51, 55, 112, 113, 114, 130, 132, 151, 156, 160, 161, 177, 228, 247, 368; member for Salem, 1, 111, 227, 234; on petitions, 6, 115, 231; treasurer's accounts, 13, 17; support of ministers, 19; impost duties, 19; bills of credit, 28, 93; Wakefield's petition, 39; excise and tunnage, 40; Baxter's memorial, 41; loan accounts, 77, 132, 140, 197, 206; Armstrong's petition, 83; instructions to agent, 92, 149; Harvard College, 117; bills of credit funds, 130; letter to Dummer, 135; defense of House, 149, 160; address to King, 149, 207, 340; governor's speech, 176; Castle William, 183; towns near Groton, 211; speaker, 235; notary public, 259; seizing logs, 366.
 Lindsey, James, 305.
 Little, Isaac, *captain*, 138, 229, 233, 385; member for Marshfield, 1, 111, 227, 235; molasses and rum, 46; petition, 62; treasurer's accounts, 120; encouraging husbandry, 122; warrant, 188, 211, 292; excuse for absence, 217, 223, 303; prosecuted, 350; bills of credit, 371.
 Little Compton, representatives, 2, 111, 227, 234.
 Little Hingham, 12.
 Littleton, 205, 308; tax, 120.
 Livermore, Samuel, of Watertown, petition, 29.
 Loan of bills of credit, trustees' report, 19, 38, 123, 126, 134, 260, 371, 377, 380; accounts, 70, 107, 174, 218, 221, 232, 251, 263, 311; *see* under counties.
 Lock, Samuel, of Tisbury, petition, 329.
 Logs, seizing of, 363, 365, 381, 383, 385.
 Lothrop, Joseph, 140; commissioner of loan, 77, 132; member for Barnstable, 111; tax apportionment, 120, 125; Castle William, 146; schools, 195.
 Lotteries, 174; suppression, 177, 178.
 Louisburg, 329, 378; *see* Cape Breton.
 Lowden, James, hearing, 11.
 Lucas, Benoni, member for Plympton, 111, 227, 234.
 Lumber, removal of duty, 114.
 Lusher, Eliezer, 302.
 Luther, —, *elder*, 332.
 Luykas, Charles, 133.
 Lynde, Benjamin, 111, 149, 157, 159, 181, 238, 280, 362, 371; councillor, 2, 112, 230; commis-

- sioner on loan, 72; instructions to agent, 92; petition, 154; Hampton-Salisbury, 371.
- Lynde, Joseph, of Malden, petition, 123.
- Lynn, 189; representatives, 1, 111, 227, 234; Andrews' petition, 103; select-men's petition, 131; assessments, 375.
- Maccarty, Florence, 11, 20, 22, 33.
- Maccarty, William, petition, 17.
- McGregor, James, 293; petition, 65, 134.
- McKeen, James, petition, 134, 293.
- Mackcloud, Michael, 107.
- Mackpheadra, Archibald, 223.
- Maine, 351; councillors, 2, 3, 112, 113, 230; marching party, 174; Massachusetts-Bay and, 324, 326; cutting of trees, 362, 363, 365.
- Malden, representatives, 1, 111, 113, 227, 234.
- Mallinson, Joseph, of Plimpton, petition, 43, 189, 190.
- Manchester, representatives, 230.
- Mandsley, *see* Mawdsley.
- Manners, reformation of, 378.
- Manning, Jacob, of Salem, representation, 76; petition, 121, 186.
- Marblehead, representatives, 1, 111, 227, 234.
- March, John, 74.
- March, Joseph, petition, 65.
- Marcy, John, of Woodstock, account, 273, 276.
- Marion, John, of Boston, 260; petition, 150; account, 196, 326; charge against Woodel, 239, 240.
- Marion, Joseph, account, 103, 109; petition, 214; allowance, 342; complained of, 343, 344, 346, 347, 349, 351.
- Marlborough, 232; representatives, 1, 111, 227, 234.
- Marsh, John, of Dedham, 200; petition, 139, 175.
- Marshall, James, 122.
- Marshall, Samuel, 260.
- Marshall, Thomas, *captain*, 103.
- Marshfield, representatives, 1, 111, 188, 227, 235.
- Martha's Vineyard, towns, 329.
- Mashpa, 233, 314.
- Mason, John, of Boston, 103.
- Mason, Joseph, member for Swanzey, 227.
- Massachusetts, 290; boundary line with New Hampshire, 42, 70, 186, 225; with New York, 69, 187; with New Plymouth, 85; credit, 115; boundary with Rhode Island, 128; charter powers, 173, 219, 351; salary for governor, 353.
- Massachusetts-Bay, councillors, 2, 112, 230; and Maine, 324, 326; bounds, 350.
- Massachusetts Hall, college building, 271.
- Masts, for King's navy, 109, 173, 365.
- Matson, —, 264.
- Maule, John, of Salem, petition, 184.
- Maule, Thomas, of Salem, petition, 184.
- Mawdsley, Joseph, *captain*, member for Westfield, 1; Hatfield petition, 39.
- Mayhew, Experience, petition, 39, 77, 100.
- Mayhew, Jonathan, 303.
- Mayhew, Paine, *major*, member for Chilmark and Tisbury, 2, 111, 227, 235; town taxes, 73; college building, 244; medium of trade, 291, 301; petition, 299; prosecuted, 350; excuse, 358, 384.
- Mayhew, Thomas, 28, 97, 108.
- Mayhew, Zaccheus, of Chilmark, petition, 329.
- Maynard, Jonathan, of Framingham, 204.
- Mayo, John, of Roxbury, petition, 18.
- Mayo, Samuel, petition, 119.
- Medfield, representatives, 1, 111, 227, 234; petition of selectmen, 12; Baxter's church, 48.
- Medford, representatives, 1, 111, 227, 234; ministry, 40; bridge and Woburn, 78.
- Medium of trade, 291, 300, 301, 308, 314, 360, 373; Shute on, 358, 368.
- Memorials, act, 13, 16, 18; ministers', 17.
- Mendon, 139, 200, 205, 303; representatives, 1, 111, 227, 234; petition, 157, 183; grammar school, 195; tax, 308; measured, 323.
- Menzies, John, member for Leicester, 234; rejected, 237, 268.
- Merrill, John, of Salisbury, petition, 272, 280.
- Merrimack River, 116, 123, 125, 131, 186, 350; trespassing on, 156, 193; survey, 185; map, 274.
- Merry Meeting, Indians, 249.
- Metcalf, John, member for Dedham, 1.
- Metcalf, Joseph, of Falmouth, petition, 161, 163.
- Middleborough, representatives, 1, 111, 227, 234; division of, 52, 82; precinct, 148, 322.
- Middlesex county, town taxes, 21; loan accounts, 73, 140, 206, 232, 311, 336; tax, 98; sheriff cited, 116, 231; treasurer's accounts, 118, 241; court of common pleas, 126, 216; court sessions, 339.
- Militia, regulation, 236, 247.
- Miller's River, 116.
- Mills, John, *captain*, member for Braintree, 1.
- Mills, upholding and regulating, 27, 29, 36, 49; sitting and flatting, 43.
- Milton, representatives, 1, 111, 227, 234; petition, 249, 258, 273.
- Ministers, support of, 16, 18, 28, 32; contribution for, 17.
- Minot, Stephen, 286.
- Minot, Stephen, Jr., 264.
- Mirrick, Tilly, of Brookfield, petition, 209.
- Mirrick, William, member for Harwich, 111.
- Misco [or Momisco], George, Indian, petition, 40, 93, 142.
- Molasses, scarcity of, 46.
- Momisco [or Misco], George, Indian, 40, 93, 142.
- Money, export prohibited, 26, 30, 37, 38; grant of, question for House, 74; bills, 157, 159; mispending, in taverns, 385, 387.
- Monitors of House, 5, 114, 228, 237.
- Monument Bay, 314.
- Moodey, Samuel, of York, election sermon, 331.
- Moodey, Samuel, petition, 30, 104, 106; letter, 48; member for Falmouth, 227, 234; rejected, 237; *captain*, 306, 334, 347, 348.
- Moore, Benjamin, petition, 348.

- Moore, John, of Sudbury, memorial, 293.
 Moore, Richard, *captain*, member for Oxford, 227, 234; petition, 256; excuse, 266, 278, 385.
 Moore, Samuel, of Mendon, petition, 195.
 Morey, Nicholas, of Freetown, 44, 150; petition, 16, 22.
 Morrill, Daniel, of Salisbury, petition, 272.
 Morrill, John, of Salisbury, petition, 272.
 Morrison, John, of Nuthfield, 315.
 Morse, Joseph, petition, 312.
 Mortaquit, Stephen, 281, 285, 289, 292, 300.
 Mortgages and loans, 311, 346, 367, 371, 377.
 Mount Wollaston, 327.
 Mousom River, 49.
 Moxon, William, 305, 306.
 Mulattoes, importation of, 25, 27.
 Mulford, Thomas, member for Truro, 1, 227, 234; attends, 62; Billingsgate petition, 74; excused, 274, 385.
 Mumford, John, Rhode Island boundary, 128.
 Musters, false, 280, 285; report, 305, 313; Dummer on, 309; affidavits, 312; Cooke's motion, 332.
 Myles, John, 332.
 Namskeket Marsh, 182.
 Nantucket, representatives, 2, 111, 227, 235; Indians, 39, 89, 91, 100, 289; loans, 70, 140, 311, 336; courts, 89; tax, 98.
 Nash, Daniel, 342.
 Nash, John, member for Hadley, 111, 227, 234; excuse, 367, 385.
 Nashua River, 317.
 Natick, 374; Indian petition, 251, 269.
 Naval stores, encouragement of, 4; abuses in, 4.
 Neale, William, of Piscataqua, 155.
 Needham, representatives, 230.
 Negroes, importation of, 25, 27; remission of duty, 67, 242, 274, 301.
 Nesuke, Ruth, Indian, petition, 99.
 Newall, John, of Lynn, petition, 157.
 Newbury, representatives, 1, 111, 227, 234; notary public, 248, 259, 282.
 Newcastle, 351.
 Newel, Ebenezer, of Roxbury, petition, 302, 322, 324.
 Newel, Joseph, 20, 22, 32.
 Newhall, Thomas, of Malden, petition, 123.
 New Hampshire, 240, 293; boundary line with Massachusetts, 42, 70, 134, 187, 225, 262, 343; duties on Piscataqua River, 136; quota of men, 145; exemption of vessels from duty, 145; encroachment, 241, 351; bills of credit, 249; supply French, 267; Salisbury and, 272; P rt Royal expedition, 376.
 Newichwonnock River, 351.
 Newman, Thomas, of George-Town, 213.
 Newman, William, 213.
 Newmarch, John, of Marblehead, petition, 158.
 Newmarch, Susannah, 158.
 New Plymouth, 126; councillors, 2, 3, 112, 113, 230; boundary with Massachusetts-Bay, 85; with Rhode Island, 189.
 'News from Robinson Crusoe's Island,' 369.
 News-Letter, Boston, 50.
 Newton, Thomas, attorney general, 248; comptroller of customs, 325, 330.
 Newton, representatives, 1, 111, 227, 234; precept for election, 116, 118; select-men cited, 119, 125.
 New York boundary line, 69, 187, 262.
 Nicholson, Francis, 376.
 Nickerson, Thomas, Jr., of Chatham, 281, 289, 292, 300.
 Nipmug River, 71.
 Noble, Thomas, member for Westfield, 227, 234; excused, 274.
 Norden, Nathaniel, 23, 47, 161, 294, 364; councillor, 2, 112, 230.
 Norridgewog Indians, 270, 271, 348; protection against, 176; petition, 255, 269; *see* Rasle.
 Northampton, representatives, 1, 111, 227, 234; Hatfield bounds, 68, 131, 192, 194, 284.
 Northfield, 71, 116, 123, 127, 133, 181, 186, 191, 201, 203, 325; minister, 50; protection, 145, 343; petition, 295.
 North Yarmouth, 30, 42; protection, 145.
 Norton, John, 269; member for Edgartown, 2, 111.
 Norton, representatives, 2, 111, 227, 234; tax bills, 284, 285, 288.
 Norton, petition, 85; divisional line, 316.
 Notaries public, 248, 255, 256, 257, 258, 261, 279, 280, 282, 351.
 Nova Scotia, 267; councillors, 2, 3, 7, 112, 113, 230; expedition, 1709, 74.
 Noyes, John, of Newbury, 7, 89.
 Noyes, John, of Sudbury, memorial, 293.
 Noyes, Oliver, *captain*, 112, 114, 132, 140, 143, 152, 156, 157, 159, 172, 224, 226, 228, 229, 230, 233, 235, 238, 248, 252, 255, 275, 279, 285, 289, 293, 301, 302, 307, 308, 314, 328, 335, 344, 353; account, 69, 186; member for Boston, 111, 227, 234; frontier lands, 116; protection of Province, 125; bills of credit funds, 130, 137; Piscataqua River and duties, 135; Castle William, 146, 290; defence of House, 149, 160; address to King, 149; instructions to Dummer, 149, 168, 241; impost bill, 150; trespass of, 151; bills of credit, 175; governor's speech, 176; Dummer's letter, 176; Colman's sermon, 191; schools, 195; towns near Groton, 211; Craighead's petition, 212, 213; boundaries, 262; treasurer's accounts, 269; Kennebeck Indians, 277; Norton tax bills, 285; Oxfordshire, 295; civil causes, 298; Rasle, 341.
 Noyes, Thomas, councillor, 2.
 Nutfield, 134, 212, 288, 307, 315, 316, 318, 321, 328, 345.
 Oakes, Josiah, petition, 16, 62, 64, 69, 72.
 Oakes, Thomas, petition, 16, 62, 64, 69, 72.
 Oaths of abjuration, 1, 111, 227, 234; jurymen,

- 97, 98, 100, 104; in place of others, 198, 201, 209.
- Officers, civil, election, 44; militia, 148.
- Ogilvie, Patrick, 222.
- Old Colony line, 318, 319, 327, 342.
- Oliver, Daniel, complaint, 304.
- Oliver, Martha, of Boston, petition, 90.
- Oliver, Nathaniel, of Boston, petition, 90.
- Onconconug, Thomas, Indian, 53, 127, 281.
- Orders of House, 5, 114, 228, 237.
- Ordway, James, petition, 363.
- Ordway, John, petition, 312.
- Osgood, John, member for Andover, 1.
- Osgood, Peter, *captain*, 6, 23, 27, 46, 47, 55, 108, 230; member for Salem, 1, 227, 229; bills of credit, 6, 77; Harvard College, 32.
- Otis, John, 3, 114, 190, 314, 364, 367, 371; councillor, 3, 113, 230; commissioner of loan, 77; encouraging husbandry, 122; bills of credit, 372.
- Oulton, John, of Boston, petition, 180, 183, 185.
- Oumptowanon, Samuel, of Natick, petition, 175, 178.
- Oxford, support of ministry, 23, 29, 256; land, 181; representatives, 227, 234; petition, 256.
- Oxfordshire, 292, 295, 301.
- Oyster Island, 253.
- Packard, James, of Bridgewater, petition, 279.
- Packard, Zaccheus, of Bridgewater, petition, 181, 182.
- Page, Anne, 90.
- Page, Jonathan, of Groton, petition, 222, 270, 286, 290, 298, 308, 310.
- Page, Nicholas, 90.
- Paine, John, 290, 302; repairs to Fort George, 155; Dummer's letter, 177.
- Paine, Nathaniel, 4, 7, 129, 150, 158, 169, 184, 319, 343, 383, 388; councillor, 3, 113, 230; commissioner of loan, 77; treasurer of Bristol, 118; Rhode Island boundary, 189, 260; account, 250; Quakers, 262; bills of credit, 372.
- Paine, Samuel, member for Woodstock, 111; excused, 172.
- Paine, Thomas, member for Truro, 111; excused, 172.
- Palmer, Thomas, of Boston, petition, 31, 37.
- Papers, false and scandalous, 359, 369, 379, 381.
- Parmenter, Benjamin, of Braintree, 291, 292.
- Parmenter, Hannah, petition, 291, 292, 294.
- Parmenter, Joseph, petition, 291, 292, 294.
- Parsons, Joseph, order to, 240.
- Partridge, James, member for Duxbury, 1.
- Partridge, John, *colonel*, 14, 74.
- Partridge, Samuel, 25, 48, 74, 141, 158, 160, 169, 273, 313, 325, 329, 345, 350; councillor, 2, 112, 230; Springfield-Enfield boundary, 30, 86; petitions, 50, 79, 94, 295; memorial, 71, 82; encouraging husbandry, 122; petition, 330, 342.
- Pateshall, Richard, 6.
- Pateshall, Robert, petition, 6.
- Pateshall, Samuel, petition, 274.
- Patten, William, 345.
- Patucket River bridge, 84; line, 197, 250.
- Paul, James, 36.
- Payne, John, 64; member for Eastham, 1, 111; common lands, 11; counterfeit bills, 62; Castle William, 64; bills of credit, 77; prisoners for debt, 87; Bond's petition, 95; Falmouth petition, 104; frontier lands, 116; Harvard College, 117.
- Payne, William, account, 65; Castle-island, 374.
- Pearly, Thomas, member for Boxford, 1, 111.
- Pearson, Johnson, of Lynn, petition, 361, 375.
- Pegun, Thomas, of Natick, petition, 175, 178.
- Pejepscut, 42.
- Pelham, Herbert, 181.
- Pembroke, representatives, 1, 111, 227, 234.
- Penhallow, John, 334; petition, 176, 177.
- Penicook, 288.
- Penobscot, memorial of Indians, 248, 256, 275, 279; presents, 255.
- Pepperell, William, *captain*, 249, 346, 364, 365, 368; member for Kittery, 227, 234; college building, 244; notary public, 259, 282; petition, 282, 283; medium of trade, 291; soldiers for east, 342; cutting trees, 363, 366.
- Perkins, James, member for Topsfield, 111.
- Perkins, Tobijah, *captain*, 389; member for Topsfield, 227, 234.
- Persons under age, transportation from province, 71, 73, 80.
- Petitions, committee on, 6, 21, 73, 115, 231, 269; act, 13, 16, 18; referred, 170; hearings on private, 196; allowance in Superior Court, 202, 203, 207, 212; deferred, 252.
- Petitpas, Claude, of Canso, petition, 155, 167.
- Phillip's war, 134.
- Pickering, William, of Salem, representation, 76; petition, 121, 186.
- Picket, Thomas, of Milton, 300, 304.
- Pierce, John, 36, 46; member for Woburn, 1; Woodward's accounts, 9; petition, 78, 152.
- Pierce, Stephen, member for Chelmsford, 111, 227, 234; Castle William, 146, 278.
- Pike, Hugh, of Newbury, petition, 63, 177, 273.
- Pike, Joseph, petition, 288, 293.
- Pirates, protection from, 33; quest of, 39.
- Piscataqua, river, right of Province in, 136; quota, 345.
- Pitch, adulteration of, 4, 5, 219; assize of, 16, 27, 55; stricter examination, 173; encouragement of, 174, 177.
- Pitkin, William, 117.
- Pitts, Ebenezer, member for Dighton, 111; schools, 195.
- Plaisted, Samuel, *captain*, member for Berwick, 111; memorial, 128, 145; warrant to, 185; loan account, 188, 197; fined, 217; affidavit, 223.
- Plaisted, Elisha, *captain*, 269, 346, 383; member for Berwick, 227, 234; petition, 279, 282, 283; Rasle, 341; prosecuted, 350; cutting trees, 362, 366.
- Plimpton, representatives, 1, 111, 227, 234.

- Plymouth, representatives, 1, 111, 227, 235; treasurer's accounts, 9, 232, 241; loan accounts, 75, 76, 141, 311, 337; tax, 98; adjournment of courts, 138, 164, 165; notary public, 248, 259, 282.
- Plympton, Joseph, member for Medfield, 234.
- Poll, tax, 21, 167, 245.
- Pomeroy, Ebenezer, *captain*, 346, 383, 385, 387, 388, 389; member for Northampton, 234; medium of trade, 291; highways, 294; civil causes, 298.
- Pool (Billingsgate), 72.
- Pool, John, of Lynn, petition, 189.
- Poor, law on, 276, 278, 283, 291.
- Pope, Ralph, 344, 349, 350; petition, 335.
- Port Royal expedition, 104; charges, 376.
- Porter, Joseph, Jr., of Salem, 301.
- Porter, Samuel, 2, 46, 106, 325; member for Hadley, 1; naval stores, 5; bills of credit, 7, 10, 28; expiring acts, 9; treasurer's accounts, 13; Buckminster's petition, 28; Springfield-Enfield boundary, 30, 86; Harvard College, 32; drink to Indians, 49; petitions, 50, 79, 295; town taxes, 73.
- Portsmouth, 351.
- Possessions, limitation for quieting, 209, 210.
- Postmaster, *see* John Campbell.
- Povey, Thomas, *colonel*, 356.
- Powder house, Boston, 109, 128, 131, 156, 157, 288; money, 147.
- Powen, John, petition, 307.
- Powers, Walter, petition, 205.
- Powning, Daniel, petition, 288.
- Prebble, Abraham, 114, 140; bounds of Falmouth, 77; town for Irish, 92; member for York, 111; memorial, 128, 145; loan account, 130, 188, 197; petition, 194, 196, 204; schools, 195; accounts, 233, 241.
- Prentice, John, of Newton, petition, 309, 322.
- Prentice, Thomas, of Newtown, petition, 46, 200, 251, 270.
- Prescott, John, of Lancaster, petition, 30.
- Prescott, Jonas, *captain*, member for Groton, 227, 234; Lancaster grant, 258, 303.
- Prescott, Jonathan, 258.
- Press, power of the, 225.
- Presumpscut River, 42.
- Price, Moses, 306, 355.
- Price, Walter, of Salem, commissioner of loans, 115; petition, 264.
- Prince, Joseph, petition, 119, 129.
- Printer, Amy, Jr., petition, 142.
- Printer, Moses, petition, 142.
- Printing, for government, 139; licensing, 359, 369.
- Prisoners for debt, 85, 87, 88, 90; food and fuel, 103; dieting, 153; continuance in prison, 320.
- Procter, Edward, 260.
- Profaneness, 378.
- Proposals for the public good, 127.
- Proprietors, lands and charges, 250, 257, 261, 282, 285, 287.
- Providence, R.I., 196, 205.
- Pullen, Richard, account, 22.
- Pyncheon, John, *colonel*, 39, 122, 140.
- Pyncheon, John, Jr., of Springfield, Hatfield's petition, 39, 87; petition, 122, 140; cutting timber, 212.
- Quaboag (Brookfield), 14.
- Quakers, relief of, 262.
- Quincey, Edmund, 6, 12, 28, 51, 138, 139, 145, 149, 160, 167, 215, 230, 249, 276, 347, 379; councillor, 3, 113; bills of credit, 93; encouraging husbandry, 122; Dummer's letter, 147; address to King, 207; Kennebeck Indians, 209; declines service, 215; Quakers, 262; letter to Dummer, 315.
- Quincy, John, *major*, 226, 229, 327, 335, 344, 353, 364; member for Braintree, 111, 227, 234, 282; bills of credit, 249; medium of trade, 291; petition, 342.
- Rasle, Sebastian, 271; letter, 61, 63; removal, 270, 329, 330, 335, 338, 341; warrant for, 272.
- Rayment, Edward, petition, 280.
- Read, Joseph, 134.
- Reading, representatives, 1, 111, 227, 234.
- Records, public, preservation, 287, 295, 299.
- Reformation of manners, 378.
- Registry of deeds, 277, 278, 287, 291.
- Rehoboth, 129, 373; representatives, 2, 111, 227, 234.
- Rejoicings, public, 251.
- Remington, Jonathan, 2, 3, 4, 7, 9, 27, 36, 55; member for Cambridge, 1; naval stores, 5; on petitions, 6; treasurer's accounts, 13, 17; Higginson grant, 14, 84; Harvard College, 32, 58; Castle William repairs, 38; Wadleigh's petition, 41; election civil officers, 44; molasses and rum, 46; Cooke's memorial, 47, 53; town taxes, 73; commissioner of loan, 73; bills of credit, 93; new towns, 93; Bradstreet's descendants, 110; White Hall farm, 325; Westborough, 331; Shrewsbury, 331.
- Replevin, writ of, 319, 323, 324.
- Representatives, unnecessary journeying, 70, 73; fine on towns, 167.
- Review of civil causes, act, 6, 9, 16, 295, 298, 302, 303.
- Rhoads, Abigail, petition, 11.
- Rhoads, Joseph, petition, 11.
- Rhode Island, 157; boundary, 128, 189, 217, 261, 262; bills of credit, 249; Port Royal expedition, 376.
- Rice, David, petition, 116.
- Rice, Ebenezer, of Sudbury, petition, 374.
- Rice, Edmund, member for Sudbury, 1; petition, 8, 137.
- Rice, Jonathan, member for Framingham, 227, 234; excuse, 266.
- Rice, Peter, *captain*, member for Marlborough, 227, 234; Lancaster grant, 258, 303.
- Rich, Peter, of Wells, 325; petition, 242.

- Richards, —, *captain*, 131.
 Richardson, Jonathan, petition, 72.
 Richmond, Samuel, of Middleborough, petition, 22, 52, 82, 121, 147.
 Richmond, Sylvester, member for Little Compton, 227, 234.
 Rider, William, member for Sherborn, 111.
 Rider, —, Sutton bounds, 57.
 Robbins, Benjamin, petition, 307.
 Robinson, Isaac, of Falmouth, petition, 233.
 Robinson, John, of Newbury, 7, 89.
 Robinson, Joseph, Indian, 162.
 Robinson, —, 303.
 Robinson, —, of Cambridge, 204.
 Rochester, 119; representatives, 1, 111, 234.
 Roe, Peter, of Suffield, petition, 19.
 Rogers, John, 36; member for Swanzeey, 2; commissioner of loan, 77; petition, 119.
 Rogers, Judah, petition, 119.
 Rogers, William, member for Wenham, 1, 111.
 Rolfe, Benjamin, account, 103, 109, 222, 344, 388.
Rose, 293.
 Rosin, assize of cask, 16, 27.
 Rowley, representatives, 1, 111, 227, 235.
 Rowse, William, *captain*, 233, 257; petition, 77; member for Charlestown, 227, 234; college building, 244.
 Roxbury, representatives, 1, 111, 227, 234; abatement of tax, 18; free school, 68.
 Royal-side, 280.
 Ruck, John, of Boston, 58; on Indians, 249.
 Rulter, Daniel, *see* Rutter.
 Rum, sold to Indians, 5, 48, 49, 55, 56, 167, 255; molasses, 46; duty, 145, 164.
 Russell, Daniel, treasurer of Middlesex, accounts, 118, 241; impost officer, 168, 248.
 Russell, David, petition, 205.
 Russell, Joseph, 306, 355; account, 223.
 Rutland, 65, 116, 312, 363; grant fulfilled, 286.
 Rutter, Daniel, 306, 355, 356.
 Ryland [or Rylance], Jacob, 305, 306.
- Saco, ministry, 80, 82; falls, 345.
 Sagadahoc, councillors, 2, 3, 7, 112, 113, 230.
 Salaries, settling of, 353, 359, 370.
 Sale, John, of Boston, petition, 213.
 Salem, representatives, 1, 111, 227, 234; fort, 13, 65; list of estates, 76; precincts, 121, 203, 360, 363, 364, 365; parishes, 186; notary public, 248, 259, 282.
 Salisbury, William, member for Swanzeey, 234; petition, 365, 375.
 Salisbury, 351; representatives, 1, 111, 227, 235; taxed by Hampton, 41, 328; petition, 272, 280, 343; disturbances, 371, 372, 387.
 Saltonstall, Gurdon, petition, 57, 102, 122.
 Sanders, John, 343; member for Haverhill, 1, 227, 235; memorial, 43; Nutfield, 293; account, 378.
 Sanders, Jonathan, petition, 289.
 Sanders, Mary, petition, 102, 107.
- Sanders, Robert, 102.
 Sanderson, Jonathan, of Watertown, petition, 196, 202.
 Sandford, Joseph, 273.
 Sandford, Thomas, petition, 157, 183.
 Sandwich, representatives, 1, 111, 227, 234; wolves, 88.
 Sargent, Epes, 361, 377, 378, 379.
 Savage, Arthur, of Boston, petition, 180.
 Savage, Habijah, *major*, 2, 33, 42, 61, 88, 94; member for Boston, 1; on petitions, 6; bills of credit, 6, 77; journals of House, 8; Buckminster's petition, 28; Cooke's memorial, 47, 53; security of frontiers, 65; Billingsgate petition, 74; loan accounts, 77; Armstrong's petition, 83; instructions to agent, 92.
 Savill, Samuel, of Braintree, 292.
 Sawyer, James, of Gloucester, 361, 377, 378, 379.
 Sayer, Francis, member for Wells, 227, 234; petition, 261, 282, 283; false musters, 280; warrant, 300; absence, 376, 381.
 Sayword, James, member for Gloucester, 227, 235.
 Scales, William, member for Falmouth, 111; memorial, 128.
 Scammon, Humphrey, of Saco, petition, 80, 82, 87; member for Biddeford, 111; memorial, 128.
 Scarborough, petition for protection, 87; protection, 128, 145, 345.
 Scauoweese, Indian, petition, 123.
 Schoolmasters, settlement and support of, 17, 18, 22, 27, 195, 222.
 Schools of learning, 195, 222.
 Scipio, petition, 224.
 Scituate, representatives, 1, 111, 227, 235.
 Scolly, James, messenger of House, 295, 356, 374.
 Seabury, Samuel, member for Duxbury, 111; meeting-house, 148.
 Seeknout, Jacob, Indian, 34, 35, 107.
 Selby, Thomas, petition, 69.
 Selectmen, appraise estate for loans, 107.
 Sergeant, Edward, of Newbury, 29, 47, 49; petition, 62.
 Servants, importation of white male, 25, 27; transportation out of province, 71, 73, 80, 86; runaway, 293.
 Sewall, Samuel, 9, 51, 111, 132, 139, 145, 149, 166, 215, 238, 249, 252, 257, 259, 264, 274, 289, 313, 345, 350, 367; councillor, 2, 112, 230; on Baxter, 58, 85; Indian rights, 67; Billingsgate petition, 73; Harvard College, 81; Hopkinton lands, 207, 209, 212; Indian boundaries, 256, 259; bills of credit, 372.
 Sewall, Stephen, petitions, 13, 41, 65; notary public, 282.
 Shapley, Nicholas, 386.
 Shark, 300, 304.
 Sharp, Henry, of Boston, petition, 222, 224.
 Sharp, John, of Winter Harbor, petition, 8.
 Shawamet, Swanzeey, 291, 315, 332, 335; gore, 365.
 Sheep, preservation and increase, 33, 35.

- Shelden, John, 154.
 Shepard, Mercy, of Dorchester, petition, 139.
 Shepherd, Francis, of Charlestown, 81.
 Shepherd, Sarah, of Charlestown, petition, 81.
 Sherborn, 139; representatives, 1, 111, 227, 234; land, 15, 303, 320.
 Sherman, Joseph, 32.
 Shipley, John, *captain*, 70; member for Groton, 1, 111; protect Higginson's land, 53, 152; new towns, 93, 208; frontier lands, 123; Merrimack trespass, 156, 191, 193.
 Shipping, impost and tunnage, 1718, 21, 38, 40, 45, 48, 50; 1719, 128, 129, 132, 135, 139, 142, 144, 145; exemption of British vessels, 160.
 Shove, Edward, of Norton, petition, 85.
 Shrewsbury, 326, 331.
 Shurtleff, William, *captain*, member for Plimpton, 1; town taxes, 73.
 Shurtleff, Thomas, 73, 199.
 Shute, Samuel, approves speaker, 2, 112; councillors, 3, 7, 113, 232; speeches, 4, 61, 114, 140, 163, 173, 219, 224, 225, 235, 245, 267, 352, 358, 364, 367, 368; instructions from King, 17; allowance, 55, 107, 170, 215, 263, 347, 350, 352, 359, 370; objects to Cooke, speaker, 228; adjourns council, 231; new election of speaker, 233; dissolves General Court, 233, 389; early adjournment, 238.
 Silver, rate of exchange, 324, 325, 332, 360, 362, 363, 368, 373.
 Simpson, Savil, petition, 138.
 Skinner, John, of Norton, petition, 284, 285, 288.
 Smallpiece, John, of Boston, petition, 88, 101, 176.
 Smallpox, on ship from Ireland, 172; precautions, 275.
 Smith, Alice, petition, 58.
 Smith, Daniel, 100; member for Rehoboth, 2; petition, 100, 101.
 Smith, John, petition, 58.
 Smith, John, of Falmouth, petition, 104, 106.
 Smith, Peter, petition, 58.
 Smith, Samuel, of Sandwich, petition, 169.
 Smith, Seth, petition, 103.
 Smith, Thomas, of Rhode Island, petition, 13, 53.
 Smith, Thomas, of Rutland, 286.
 Snell, Thomas, of Casco Bay, petition, 42.
 Snell, Thomas, of Bridgewater, 126, 129.
 Sohego River, 123, 125, 181, 185, 186.
 Soldiers, levying of, 307, 308, 309, 313, 332, 339, 343, 345; for eastern province, 342; pay, 342.
 Somersby, Henry, *colonel*, 7, 33, 55, 229, 230, 240, 245, 249, 266, 285, 301, 304, 325, 328, 343, 345, 353, 363, 366, 367, 385, 388; member for Newbury, 1, 227, 234; manufacture of iron, 6; bills of credit, 6, 372; Wadleigh's petition, 41; boundary line, 42; Berwick-Wells line, 44, 122; Castle William, 64; commissioner of loan, 72; town taxes, 73; college building, 244; medium of trade, 301; letter to Dummer, 321.
 Soule, Nathaniel, *captain*, member for Dartmouth, 1; attendance required, 3; attends, 22.
 Southack, Cyprian, petition, 17, 26, 42; memorial, 76.
 South Carolina, bills of credit, 236.
 Southwell, William, petition, 342.
 Spain, war with, 114; timber sent to, 174, 220.
 Sparhawk, Nathaniel, 222, 286, 290, 299, 308, 310.
 Speaker, election of John Burrill, 2, 111; Elisha Cooke, 228; governor's negative, 229, 245; new election asked, 233; Lindall, 235.
 Species, payment of taxes in, 254.
 Spectacle Island, 25; hospital, 50, 151, 280; supplies, 196, 326; damages, 201.
 Spinney, Samuel, of Kittery, petition, 184.
 Sprague, Jonathan, of Providence, 196.
 Sprague, Samuel, member for Rochester, 234.
 Springfield, 205; representatives, 1, 111, 227, 234; boundary hearing, 9, 28, 29; committee, 30, 86.
 Spur, Robert, *colonel*, 327, 329, 387, 388; member for Dorchester, 234; petition, 312, 342.
 Squirrel, 33, 274.
 Stacy, William, 252, 366; member for Marblehead, 227, 234; Castle William, 278.
 Staniford, John, 239, 240.
 Star, Comfort, of Dedham, petition, 302.
 Stephen, Simon, of Eastham, petition, 281, 284, 285, 289, 292, 300.
 Stephen, Stephen, 286, 289, 292, 300.
 Sterns, John, 36; member for Billerica, 1.
 Sterns, Samuel, *captain*, member for Watertown, 1, 111, 227; monitor, 5; petition, 29.
 Stevens, Benjamin, petition, 125, 179.
 Stevens, Jacob, *captain*, 286; member for Stow, 227, 234; proprietor's lands, 282; excuse, 384.
 Stevens, Samuel, petition, 11, 17.
 Stockbridge, Joseph, member for Pembroke, 1.
 Stocks, town, 191, 194, 197.
 Stoddard, John, *major*, 2, 3, 7, 27, 112, 113, 206, 229, 230, 245, 248, 252, 259, 289, 308, 325, 345; member for Northampton, 1, 111, 227, 234; bills of credit, 6, 10, 249; expiring acts, 9; Woodward's accounts, 9; Hatfield petition, 39; excise and tunnage, 40; letter to Dummer, 41, 135, 321; petitions, 50, 295; Castle William, 64, 183; security of frontiers, 65; New York boundary, 69, 187; on petitions, 73, 115, 231; loan accounts, 77; Armstrong's petition, 83; instructions to agent, 92, 149; Higginson's petition, 101; frontier lands, 116, 123, 181, 186, 191; duty on rum, 146; extravagance, 148; address to King, 149, 207, 340; impost bill, 150, 164; governor's speech, 176; probate judges, 194; schools, 195; Kennebeck Indians, 221, 238, 240, 260, 270, 277; treasurer's accounts, 238, 269; college building, 244; supply of treasury, 250; expiring acts, 256; counterfeiting, 270; letter to Indians, 276; Five Nations, 276; Norton tax bills, 285; excise, 291; Oxfordshire, 295; impressment, 304; swine, 304; Willard's allowance, 313; White's farm, 319, 327; Swanzey, 333, 335; soldiers for east, 342; excused, 361, 385.

- Stoddard, Stephen, of Cohasset, petition, 12.
 Stone, Ebenezer, member for Newton, 111, 227, 234; Harvard College, 117; monitor, 228, 237; medium of trade, 360; fast day, 361.
 Stone, Samuel, of Sudbury, 293.
 Stoughton House, Harvard College, 35.
 Stow, tax, 167; representatives, 227, 234.
 Sturges, Samuel, Crocker's petition, 23.
 Sturgis, Rebecca, of Yarmouth, petition, 76.
 Sudbury, 137, 374; representatives, 1, 111, 227, 234; division of precincts, 8; meeting-house, 293; precinct, 348.
 Suffield, representatives, 1, 111, 227, 234; land grants, 19; differences in, 33; court, special sessions, 35; petition, 341.
 Suffolk, county, Damaris Cove, 6; town taxes, 21; treasurer's accounts, 23, 244; loans, 70, 140, 186, 206, 311, 336; tax, 97; county towns, 312; land, 342.
 Sunderland (Swampfield), 80; tax, 120.
 Sunkason, Indian, 233.
 Supremacy, oath of, 198, 201, 209.
 Surveyor general of woods, charges against, 120, 225.
 Sutton, 53; bounds, 57, 142, 146, 195.
 Swain, Benjamin, account, 50; petition, 118.
 Swampfield, town privileges, 79; changed to Daventry, 79; Sunderland, 80.
 Swan, Robert, petition, 125, 179.
 Swan Island, 261, 269.
 Swanzey, 291; representatives, 2, 111, 227, 234; hearing, 308; town meetings, 315; church, 332, 335.
 Sweetser, Seth, 190, 201.
 Sweetser, Wigglesworth, 58.
 Swine, regulation, 304, 307, 314, 323.
 Symmes, Thomas, petition, 212.
 Tailer, Ann, of Boston, petition, 242.
 Tailer, William, 74, 105, 123, 144, 238, 255, 273, 345, 350; councillor, 2, 112, 230; Harvard College, 81; Higginson's petition, 89, 104, 152; jurymen's oath, 104; petition for Worcester, 153, 301; Hopkinton lands, 207, 209, 211; Kennebeck Indians, 209, 238, 240, 260, 270, 277; towns near Groton, 215, 256; trade with Cape Breton, 308.
 Tailer, Seth, *captain*, member for Yarmouth, 1; Billingsgate petition, 74.
 Talbut, Jared, of Dighton, petition, 25, 150, 153.
 Tar, adulteration of, 4, 5, 219; assize of cask, 16, 27, 55; on Merrimack, 156, 193; stricter examination, 173; encouragement of, 174, 177.
 Tarbol, Thomas, 133.
 Tarrant, —, 202.
 Taunton, 82; representatives, 1, 111, 227, 234; Bradford's claim, 25; precinct, 148.
 Taverne, misspending money in, 385, 387.
 Tax, levy, 1718, 21, 27, 28, 45, 51, 52, 54, 56, 57; £6000, 55; apportionment, 58, 59, 96, 97, 99, 116, 120, 125, 135; £3000, 139, 142, 144; £4000, 145, 170; levy, 252, 253, 256, 257, 262, 333; payment in species, 254, 333; assessment of, 363, 377, 379, 380, 381.
 Tay, Isaiah, 47, 67, 76, 96, 108, 112, 143, 157, 172, 216, 228, 238; member for Boston, 1, 111, 227; support of ministers, 19; Baxter's memorial, 41; Billingsgate petition, 74; Higginson's petition, 101; election sermon, 115; extravagance, 148; instructions to Dummer, 168; Colman's sermon, 191; Wells' petition, 201, 203.
 Tay, Isaiah, Jr., of Boston, petition, 67, 80.
 Tay, Mercy, 67.
 Tay, —, *captain*, 104.
 Taylor, Christopher, of Boston, 320, 326, 328, 335, 378, 383, 384; petition, 180, 190, 191, 379.
 Taylor, James, 180, 190, 191, 300.
 Taylor, Rebecca, of Lynn, 320, 326, 328, 335, 378, 383, 384.
 Taylor, Sarah, of Lynn, petition, 300.
 Taylor, William, of Lynn, petition, 300, 320, 326, 328, 335, 378, 379, 383, 384.
 Tenny, Samuel, member for Bradford, 227.
 Terry, Samuel, *captain*, member for Enfield, 1, 227, 235; excuse, 278, 385.
 Terry, Thomas, 134.
 Thatcher, Peter, petition, 39, 77, 90; commissioner of loan, 77.
 Thanksgiving, contribution, 17; appointed, 76.
 Thaxter, Samuel, *colonel*, 2, 7, 9, 23, 41, 47, 51, 55, 87, 108, 112, 113, 142, 156, 157, 159, 169, 225, 274, 277, 278, 314, 383, 385, 388; member for Hingham, 1, 111; on petitions, 6, 21; manufacture of iron, 6; rateable estates, 13; Higginson grant, 14, 84; bills of credit, 28, 93; Springfield-Enfield boundary, 30; survey of White Hall, 32, 51, 325; Harvard College, 32; Johnson's petition, 41; Cooke's memorial, 47, 53; Richmond's petition, 52, 82; account, 65, 70, 186; Castle William, 68; New York boundary, 69, 187; town taxes, 73, 96, 99; councillor, 112, 114, 230; Rhode Island boundary, 128, 189, 260; Waldo's land, 129, 196, 318; Sutton bounds, 146, 195; meeting-house, 148; Wrentham-Attleborough line, 163, 250; towns near Groton, 215; White's land, 250, 279, 281, 308, 327; Kennebeck Indians, 277; Norton line, 316; Watertown line, 328; Westborough, 331; Shrewsbury, 331; Shawomet line, 375.
 Thayer, Samuel, of Mendon, petition, 195.
 Thomas, John, member for Swanzey, 111; petition, 291, 315, 326, 332, 333, 335.
 Thomas, Nathaniel, 87, 106; member for Plymouth, 1; Harvard College, 32; Richmond's petition, 52, 82; commissioner of loan, 76.
 Thomas, Onna, of Lynn, 63, 361.
 Thomas, William, petition, 6.
 Thompson, Jacob, petition, 147, 148; Wrentham-Attleborough line, 163.
 Thorla, Mary, of Newbury, petition, 89.
 Thornberry, James, of Boston, 57.
 Three Annis, 131.
 Thresher, Christopher, of Middleborough, petition, 22.

- Throop, William, *captain*, 45, 46, 51, 104, 106, 138, 140, 143, 144, 148, 156, 168, 224, 229, 233, 249, 251, 252, 259, 263, 273, 304, 328, 335, 344, 345, 353, 363, 364, 365, 367, 381, 383, 384, 385, 388, 389; member for Bristol, 1, 111, 227, 234; Harvard College, 32; drink to Indians, 49; town taxes, 73; allowance for prisoners, 103; encouraging husbandry, 122; meeting-house, 148; defense of House, 149, 160; Wells' petition, 201; towns near Groton, 211; impost, 240; college building, 244; bills of credit, 249, 372; notary public, 259, 282; Quakers, 263; Kennebeck Indians, 277; Castle William, 278; excise, 291; Watertown division, 296; swine, 304; White's farm, 319; Swanzey, 333; Rasle, 341; medium of trade, 360; governor's speech, 364; Shawomet line, 375.
- Thurlo, Mary, of Newbury, petition, 7.
- Thwait's Point, protection of, 249, 261.
- Tilestone, Thomas, *captain*, 61, 140; member for Dorchester, 1, 111, 227; bills of credit, 7; Town's petition, 23; encouraging husbandry, 122; Castle William, 146; sale of land, 181.
- Tilley, William, of Boston, petition, 286.
- Timber, cutting, 49, 211; King's rights, 108; on Merrimack, 156, 193.
- Tisbury, representatives, 2, 111, 227, 235; minister's support, 25; court at, 299.
- Tiverton, representatives, 2, 111, 227, 234, 266; petition on taxes, 82; precept to elect, 242.
- Todd, John, of Rowley, 39, 316.
- Tompson, Jacob, Richmond's petition, 82; member for Middleborough, 111; petition, 121, 322; Waldo's petition, 129, 196; Craighead's petition, 212; Norton line, 316.
- Tompson, John, 200; petition, 179.
- Topsfield, representatives, 1, 111, 227, 234.
- Tore, John, 135.
- Torrey, John, 226; member for Weymouth, 111, 227, 234; petition, 342.
- Torrey, Josiah, of Tisbury, petition, 25.
- Town, Israel, of Oxford, petition, 137.
- Town, John, petition, 23, 29.
- Towns, rateable estates, 9, 13, 16; taxes, 16, 21, 363; apportionment of tax, 73, 96, 97, 99, 116, 120, 125, 161, 239; new, 93, 102; rate collectors, 294, 299, 302, 313; meetings, 321; admission of inhabitants, 321; officers, 367, 372, 373.
- Townsend, Penn, 1, 9, 12, 61, 110, 149, 158, 166, 169, 172, 212, 227, 234, 248, 265, 268, 273, 290, 308, 313, 332, 338, 345, 350, 360, 364, 365, 367, 371, 388; councillor, 2, 112, 230; petition, 31, 37; bills of credit, 83, 183, 287, 372; Hopkinton lands, 207, 209, 212; Indian boundaries, 256, 259; Milton petition, 258, 273.
- Trade, recovery of, 10; medium of, 291, 300, 301, 308.
- Tray, Benjamin, of Natick, petition, 175, 178.
- Treasurer, election, 42, 147, 156, 248; *see* Jeremiah Allen.
- Trees, cutting of, 362, 363, 365; Bridger's orders, 43.
- Trials, new, 311.
- True, Henry, of Salisbury, petition, 272.
- True, William, 343; member for Salisbury, 227, 235.
- Truro, 72; representatives, 1, 111, 227, 234.
- Tucker, Daniel, *sergeant*, 70, 187, 281, 284; petition, 88, 309.
- Tucker, Ephraim, member for Milton, 1, 111, 227, 234; monitor, 228, 237; petition, 249.
- Tucker, Manasseh, of Milton, petition, 249.
- Tufts, John, petition, 212.
- Tufts, Thomas, 104; member for Medford, 1, 227, 234.
- Tumults, 164, 378.
- Tupper, Eldad, 49, 314; member for Sandwich, 2; attends, 62; petition, 88, 90.
- Turner, Amos, of Scituate, petition, 367.
- Turner, John, of Salem, commissioner of loan, 72; petition, 121, 123, 184, 186.
- Turner, Thomas, 36, 47, 94; member for Scituate, 1; bills of credit, 10, 93; common lands, 11; treasurer's accounts, 17; support of ministers, 19; loan trustees' accounts, 19; Harvard College, 32; Wakefield's petition, 39; molasses and rum, 46; drink to Indians, 49; Richmond's petition, 52, 82; prisoners for debt, 87; Higginson's petition, 101; allowance for prisoners, 103.
- Turpentine, adulteration of, 4, 5; assize of cask, 16, 27, 55; on Merrimack, 156, 193.
- Turrel, Samuel, petition, 69.
- Tuthill, Zachariah, *captain*, petition, 6, 30, 121; allowance, 68, 126; memorial, 232, 239; certificate, 313, 314, 356; letter, 373.
- Tyley, Samuel, account, 103, 109, 344, 388; notary public, 259, 282; memorial, 343, 344, 346, 349, 351.
- Tyley, Samuel, Jr., account, 222.
- Tyng, Jonathan, 208; land for, 89; petition, 193.
- Upham, Phineas, 104; member for Malden, 1.
- Usher, John, petition, 41.
- Usury, restraint of, 379, 382, 384.
- Valentine, John, attorney general, 94, 161; memorial, 207; petition, 283.
- Vardy, Luke, accounts, 149, 243.
- Vaughan, Joseph, of Middleborough, Richmond's petition, 82; petition, 322.
- Vergoose, Elizabeth, petition, 175, 178, 182, 187.
- Vergoose, Isaac, 175, 182.
- Verien [Veering], John, of Boston, 88, 259.
- Verien, Mercy, petition, 88, 259.
- Verien, Thomas, petition, 88, 259.
- Vernon, Gabriel, *see* Bernon.
- Vivian, John, of Boston, petition, 286.
- Wade, Jonathan, Berwick-Wells line, 44, 122.
- Wadleigh, John, *captain*, member for Salisbury, 1, 111; petition, 41, 42; memorial, 43.
- Wadsworth, Benjamin, *rev.*, Harvard College, 81; building, 296.

- Wadsworth, John, member for Duxbury, 227, 235; excused, 278.
- Wadsworth, Joseph, *captain*, 2, 70; member for Boston, 1; manufacture of iron, 6; journals of House, 8; treasurer's accounts, 13; Baxter's memorial, 41; Castle William, 64, 68, 374; bills of credit, 77; impost accounts, 81, 147; prisoners for debt, 87.
- Wainwright, John, 228, 251, 301, 334, 343, 348, 358, 363, 366, 384, 388, 389; member for Ipswich, 227, 234; treasurer's accounts, 269; false musters, 280; logs, 383, 386.
- Wakefield, Samuel, of Salem, petition, 39, 43, 94, 316.
- Waldo, Cornelius, of Boston, petition, 180, 183, 185.
- Waldo, Daniel, petition, 126, 129, 131, 197, 318, 327.
- Waldron, Samuel, of Dighton, petition, 146, 158, 183.
- Walgrave, Thomas, grant, 93.
- Walker, Nathan, of Dighton, petition, 146, 158, 183.
- Walker, Samuel, member for Woburn, 111, 227, 234.
- Walton, Shadrach, *colonel*, 268, 273, 277, 282, 325, 334, 343, 347, 348, 349.
- Wampas, John, Indian, 58.
- Wampum, 275.
- Wanton, Joseph, petition, 262.
- Ward, John, member for Newton, 1; Buckminster's petition, 28.
- Ward, William, 162; Lancaster grant, 258, 303, 324.
- Ware, Anna, of Boston, petition, 160.
- Ware, Robert, member for Wrentham, 1; petition, 71, 100, 101.
- Ware, Robert, of Boston, 160.
- Ware River, 154.
- Warren, James, 341.
- Watertown, representatives, 1, 111, 227, 234; land for, 29; bridge, 94, 96, 200, 251; division, 196, 289, 296, 328.
- Watson, John, commissioner of loan, 76.
- Weare, Nathaniel, of Saco, petition, 80, 82.
- Webb, Perez, account, 238.
- Weeanug, John, Jr., Indian, petition, 49.
- Wells, John, of Hatfield, petition, 68, 194.
- Wells, Thomas, 325; member for Deerfield, 1, 111, 235; petition, 133, 141, 201, 203; election sustained, 237.
- Wells, representatives, 2, 111, 227, 234; Berwick line, 44, 122; bounds, 261, 281; protection, 282, 283.
- Welsteed, William, complaint, 304.
- Wendell, Ephraim, 133.
- Wenham, representatives, 1, 111, 227, 234.
- Westborough, precept for election, 232; land, 331.
- Westbrook, Thomas, 240.
- Westfield, representatives, 1, 111, 227, 234.
- Westham, constituted, 200.
- Weston, representatives, 1, 111, 227, 234; Framingham's suit, 69; bridge, 94, 96.
- Wetherell, John, of Norton, petition, 284, 285, 288.
- Weymouth, representatives, 1, 111, 227, 234; public dues, 252, 255, 260.
- Wheaton, Ephraim, 332.
- Wheelwright, John, 9, 154, 158, 276, 321, 325; councillor, 3, 113, 230; Eastern Indians, 21; petitions, 49, 79, 194, 196, 204; bounds of Falmouth, 77; Scammon's petition, 87; town for Irish, 92; settlement of Cape Porpus, 118, 128, 131; encouraging husbandry, 122; memorial, 128, 133, 144, 145.
- Wheelwright, —, *colonel*, 39.
- Whipple, Cyprian, petition, 34, 39, 106.
- Whipple, Jeremiah, member for Attleborough, 111.
- Whipple, Joseph, of Providence, 196, 323.
- Whipple, Matthew, *captain*, 76, 88; member for Ipswich, 1, 111; Harvard College, 32; encouraging husbandry, 122; unruly dogs, 157.
- White, Edward, of Dorchester, 78.
- White, John, 316; member for Haverhill, 111.
- White, John, 355; elected clerk, 2, 112, 228, 235; loan trustee, 19, 126, 260, 371; allowance, 56, 108, 170, 216, 264, 348, 349; bills of credit, 92; oath, 113; loan accounts, 218, 251, 263.
- White, Nicholas, member for Norton, 111.
- White, Patience, of Dorchester, petition, 78.
- White, Peregrine, 129, 250, 279, 281, 308, 318, 327.
- White, Thomas, 15.
- White, Thomas, of Marshfield, petition, 88, 100.
- White, Thomas, of Mendon, petition, 157, 183, 195.
- White Hall, 28, 29, 32, 51, 326.
- Whiteborn, George, petition, 88.
- Whiting, Oliver, *captain*, 233; member for Bilmerica, 111, 227, 234.
- Whitmore, John, of Medford, petition, 40.
- Whittemore, Benjamin, 360; member for Concord, 111, 227, 234; monitor, 114, 237; Higginson grant, 152; Merrimack trespass, 156, 193; new towns, 208; highways, 294; bills of credit, 372.
- Whittemore, Peletiah, petition, 74, 89.
- Whitteridge, Richard, petition, 88.
- Wicket, Deborah, Indian, petition, 76, 77.
- Wicket, Nathan, Indian, 119, 314; petition, 76, 77, 252, 263.
- Wilder, Joseph, 286, 307, 347; member for Lancaster, 227, 234; false musters, 280.
- Wiley, Timothy, member for Reading, 1.
- Wilkinson, Edward, of Boston, 277, 290, 296, 299.
- Wilkinson, Samuel, Rhode Island boundary, 128.
- Willard, Josiah, *captain*, 182.
- Willard, Josiah, Secretary, 1, 3, 7, 12, 112, 114, 147, 151, 152, 158, 159, 163, 166, 169, 170, 177, 180, 183, 186, 188, 189, 192, 208, 224, 226, 228, 229, 232, 233, 234, 235, 238, 242, 248, 263, 265,

- 266, 278, 281, 299, 304, 308, 312, 314, 321, 326, 328, 338, 341, 349, 352, 353, 357, 358, 367, 371, 376, 385, 389; memorial, 43, 57, 82, 313, 342; allowance, 57, 102, 104; petition, 191, 217.
- Willard, Samuel, 222, 270.
- Willett, Andrew, *captain*, 332.
- Williams, Anne, petition, 58.
- Williams, Benjamin, of Norton, petition, 316.
- Williams, Jonathan, petition, 69.
- Williams, Samuel, petition, 104.
- Williams, Sarah, of Salem, petition, 294.
- Williams, Seth, member for Taunton, 111.
- Williams, William, *rev.*, election sermon, 115, 156.
- Willis, John, of Bridgewater, petition, 213.
- Willis, Thomas, petition, 40; member for Medford, 111.
- Wills, probate of, 166.
- Wilson, George, of Cohasset, petition, 12.
- Wilson, Jacob, member for Malden, 111; protest against, 113, 123.
- Wilson, William, member for Concord, 1; monitor, 5.
- Winchel, Joseph, of Suffield, petition, 19.
- Winchester, Josiah, 387; member for Brookline, 227, 234.
- Wines, excise on, 32, 35, 36, 43.
- Winslow, Edward, sheriff of Suffolk, petition, 18, 26; account, 218.
- Winslow, George, 382.
- Winslow, Isaac, 9, 10, 94, 181, 373, 380, 383, 388; councillor, 3, 113, 230; Quakers, 262; Water-town division, 328.
- Winslow, Kenelm, member for Harwich, 227.
- Winter Harbor, 118, 274; support of minister, 8, 82; disorders and command of garrison, 8; Fort Mary, 132, 305.
- Winthrop, Adam, 8, 18, 26, 34, 38, 41; councillor, 3; Baxter's memorial, 41, 58, 85; impost officer, 44; account, 69, 186; Higginson's petition, 89; instructions to agent, 92; petition for Worcester, 153, 301; petition, 176, 177; on Indians, 242, 249.
- Winthrop, Wait, grant to, 135.
- Wise, John, *rev.*, of Chebacco, election sermon, 108.
- Wiseman, James, 88.
- Wiswall, Peleg, petition, 62.
- Woburn, 14, 84; representatives, 1, 111, 227, 234; petition, 78, 152.
- Wollaston, Mount, 327.
- Wolves, Barnstable, 88; killing of, 164, 167; premium, 273, 284, 288, 290, 295.
- Wood, *see* Cordwood.
- Woodberry, Isaac, of Beverly, petition, 278.
- Woodbury, Nicholas, of Ipswich, petition, 316, 322.
- Woodel, Gershon, member for Tiverton, 2, 111, 227, 234; petition, 82; complaint against, 239, 240; expelled, 240.
- Woods, King's rights in, 109, 173, 220, 386, 388.
- Woodstock, representatives, 111, 227, 234; meeting house, 365.
- Woodward, Samuel, secretary to council, accounts, 9, 17.
- Woodwards, —, 67.
- Woorster, Moses, of Kittery, petition, 195, 197.
- Woorster, Thomas, 195, 198.
- Worcester, 46, 240; new town near, 58; Walgrave grant, 92; tax, 120; assessment, 122; exemption from taxation, 153; county, 244, 245; shire town, 301.
- Worthilake, George, 188, 204.
- Wrentham, 139; representatives, 1, 111, 227, 234; petition, 71; Smith's petition, 101; Attleborough line, 164, 197, 198, 250.
- Writ of replevin, 319, 323, 324.
- Yarmouth, representatives, 1, 111, 227, 234.
- Yeats, John, of Harwich, petition, 119, 177, 182.
- York, representatives, 2, 111, 227, 234; shire town, 10, 11; protection, 282, 283.
- York, county, treasurer's accounts, 18, 118, 233, 241; town of Augusta, 87, 94; tax, 98; loan accounts, 107, 130, 188, 197, 311, 338; session of court, 244, 245, 248, 249, 307, 310, 311; soldiers, 307, 346; sheriff, 383.

MAR 3 1921

The Riverside Press
CAMBRIDGE MASSACHUSETTS
U . S . A

UNIVERSITY OF MICHIGAN
3 9015 06299 0000

